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Board Certified Property Owners Association Law  
Texas Board of Legal Specialization

CARLY W. WALL

JOHN T. VILLAFRANCA

February 5, 2019

[jpriest@vicad.com](mailto:jpriest@vicad.com)

Jessica Priest

Victoria Advocate

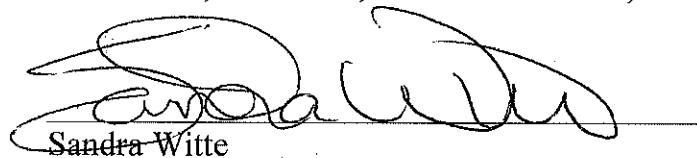
Re: Public Information Act Request

Dear Ms. Priest:

The Calhoun Port Authority received the Public Information Act request contained in your email dated January 29, 2019, requesting copies of any record that would show whether T.W. LaQuay Marine has ever worked for or on the Calhoun Port Authority, when that work was performed and at what cost to the Port. T.W. LaQuay Marine has not worked for the Port, but the Port read your request to have the meaning of T.W. LaQuay Dredging, Inc. Attached are the responsive documents that show if a LaQuay entity has worked for the Port; however, the Port has no control over documents that would show whether a LaQuay entity has worked "on the Calhoun Port Authority." Any such documents would be in the possession of the third party that hired the LaQuay entity.

Yours truly,

ROBERTS, ODEFEY, WITTE & WALL, LLP



A handwritten signature in black ink, appearing to read "Sandra Witte". The signature is fluid and cursive, with the name written in a larger, more prominent style than the title above it.

Sandra Witte

SW/sd  
Enclosures

cc: Charles R. Hausmann, Port Director

LAQUAY DRE	8/10/2001 Ck	T.W. LAQUAY DREDGING, INC.	12080	CR - Inv: INVOICE	1	5460-40195	\$76,885.20	\$0.00	\$76,885.20 *
LAQUAY DRE	9/7/2001 Ck	T.W. LAQUAY DREDGING, INC.	12217	CR - Inv: INVOICE	1	5460-40195	\$146,496.80	\$0.00	\$146,496.80 *
LAQUAY DRE	11/9/2001 Ck	T.W. LAQUAY DREDGING, INC.	12499	CR - Inv: INVOICE	1	5460-40195	\$175,163.00	\$0.00	\$175,163.00 *
LAQUAY DRE	5/6/2005 Ck	T.W. LAQUAY DREDGING, INC.	18195	CR - Inv: 05-105	1	5460-40178	\$141,750.00	\$0.00	\$141,750.00 *
	6/10/2005 Ck		18643	CR - Inv: 05-108	1	5460-40178	\$451,567.75	\$0.00	\$451,567.75 *
				** Total:			\$991,862.75		

**Calhoun Port Authority**      Vendor Activity  
11/16/2007 T-1-12721

Vendor Activity

From 4/1/2007 Through 12/30/2018

Date: 1/31/19 10:57:45 AM

Note: Partial Payments may cause totals to be overstated in the Expenses or the Charges column.

Page: 1:1

CALHOUN COUNTY NAVIGATION DISTRICT  
REGULAR MEETING  
MARCH 14, 2001

The regular meeting of the Calhoun County Navigation District was held on Wednesday, March 14, 2001, at 9:00 a.m. in the Calhoun County Navigation District Board Room, Calhoun County Navigation District Office, Point Comfort, Texas.

Board Members attending were:

Commissioner # 1 – Randy L. Boyd  
Commissioner # 2 – Leo J. Kainer  
Commissioner # 3 – J. C. Melcher, Jr.  
Commissioner # 4 – Paul Blasingim  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Robert H. Van Borsum – Port Director  
Charles Hausmann – Assistant to Port Director  
Wanda Roberts – Port General Counsel  
Larry Dio – Port Special Counsel  
Ellen Buchanan – Secretary to Port Director

Also present were:

Steve Bales – Port Lavaca Wave  
Linda Reese  
Frank McNiff  
Pete MacCallum – MacCallum Marine Towing  
Frank Sternadel - Alcoa  
Terry Seizer - Alcoa  
Norman Boyd  
Carl Bond – Point Comfort Mooring Co.  
Mickey Sappington – G & W Engineers, Inc.  
Larry Robinson – Matagorda Bay Pilot  
Richard Bothe – IBC Bank  
Jimmy Dio – Point Comfort Towing Co.  
Warren Herring - King Fisher  
Tim LaQuay - T.W. LaQuay Dredging  
Representatives from Shipping Agents

Agenda Item No. 1: Call to Order.

Board Chairman Randy Boyd called the regular meeting to order at approximately 9:00 a.m. He stated that the agenda of this meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

Pledge of Allegiance

Chairman Randy Boyd asked if any more bids for the 2001 Inner Harbor Dredging Project needed to be turned in. Being none, he then closed the bidding.

Agenda Item No. 2: Approve the minutes of the February 12, 2001 Special and February 14, 2001 Regular Meeting.

The minutes of the February 12, 2001 Special Meeting and the February 14, 2001 Regular Meeting were presented to the Board. A motion was made by Board Member Kainer, seconded by Board Secretary Martinez, and motion carried unanimously to approve the minutes of the February 12, 2001 Special Meeting and the February 14, 2001 Regular Meeting.

Agenda Item No. 3: Review of Financial Report: All Funds.

Mr. Charles Hausmann presented the following financial information to the Board for review:

- 1) February 28, 2001 Fund Balance Report.
- 2) General Cargo Dock Expansion Project Budget Bond Proceed Expenditures as of 03/09/01.
- 3) Accounts Receivable Schedule as of March 14, 2001.

Agenda Item No. 4: Approval of Disbursements and Transfers: All Funds.

The Board reviewed the March 14, 2001 disbursements. After review of the disbursements, a motion was made by Board Member Wehmeyer, seconded by Board Member Kainer, and motion carried that Check Nos. 11306 through 11414 from the Port Operations Account be approved for payment.

A motion was made by Board Secretary Martinez, seconded by Board Member Blasingim, and motion carried unanimously to approve the following fund transfers:

CHECK NO.	FUND ACCOUNT	AMOUNT
	<u>Gross Revenue Fund</u>	
1081	Port Operations Account	\$ 5,058.19
1083	Port Operations Account	5,185.30
1084	Port Operations Account	<u>18,465.09</u>
	Total	\$ 28,708.58
	<u>Maintenance and Operation Fund</u>	
1070	Port Operations Account	\$2,214.13
1071	Port Operations Account	2,104.19
1072	Port Operations Account	<u>3,456.20</u>
	Total	7,774.52
	<u>Business Development Fund</u>	
1030	Port Operations Account	\$ 11.88
1031	Port Operations Account	<u>262.05</u>
	Total	273.93
	<u>Depreciation &amp; Major Repair Fund</u>	

1003	Port Operations Account	\$19,717.50
	Total	19,717.50
<u>Port Expansion Gross Revenue Fund</u>		
1075	Port Operations Account	\$14,040.35
1077	Port Operations Account	14,793.61
1078	Port Operations Account	<u>52,357.57</u>
	Total	81,191.53
<u>AN/NH3 Operating Fund</u>		
1025	Port Operations Account	\$ 50.00
1026	Port Operations Account	<u>12,861.90</u>
		<u>12,911.90</u>
TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT		\$150,577.96
<u>=====</u>		

Interfund Transfers			
Date	From	To	Amount
02-20-01	Gross Revenue Fund	Maintenance & Operations Fund	\$10,000.00
TOTAL INTERFUND TRANSFERS			\$10,000.00

A motion was made by Board Member Kainer, seconded by Board Member Wehmeyer, and motion carried unanimously to approve Check No. 1024 for the GCD Expansion Project Fund.

A motion was made by Board Member Wehmeyer, seconded by Board Secretary Martinez, and motion carried unanimously to approve Check No. 1042 and 1043 for the Pipeline Right of Way Project Account.

A motion was made by Board Member Wehmeyer, seconded by Board Member Blasingim, and motion carried unanimously to approve the following requisitions:

Bond Proceeds Requisitioned Through Trustee Bank			
Requisition Number	Date	Payee	Amount
#19	2/23/01	Formosa Plastics Corp. U.S.A. Hill Country Environmental	\$ 127,851.91 710.74
#20	3/8/01	G & W Engineers, Inc. Hill County Environmental	5,064.00 <u>131.04</u>
Total Requisitions:			\$133,757.69
<u>=====</u>			

#### Agenda Item No. 5: Port Director's Report.

Robert H. Van Borssum, Port Director, reported the following harbor traffic statistics for the month of February, 2001:

BP/Amoco Cargoes:	4 Ships	21,944.5 Short Tons
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Formosa Cargoes:	10 Ships 30 Barges	147,912.5 Short Tons 56,388.3 Short Tons
Texas Liquid Fertilizer.....	1 Barges	1,397.6 Short Tons
<u>Total</u>	<u>46 Vessel Movements</u>	<u>227,642.9 Short Tons</u>

- b. Further that twenty-seven deep-sea vessels have been scheduled for arrival during the month of February. Also, March has the potential to be the busiest month ever in ship arrivals for the port.
- c. That a 40 foot tower will be placed on the block building for the general cargo dock camera to cover the manifold area and the entrance road. This will be tied to the tower via a fiberoptic cable system.
- d. That regarding the damage to the Liquid Pier South caused by the M/T Tradewind Dragon, the Port Director has referred this damage issue to the Port General Counsel for failure of the P&I Club to reimburse the port for damage repair.
- e. That Formosa Plastics Corp. (FPC) has expedited the placement of the loading arms and piping to the general cargo dock and hope to be operable within sixty days
- f. That the schedule for the Revenue Bond Issue for Formosa Plastics Corp is becoming more finite. The underwriter bank, the Bank of America, has tentatively scheduled a closing date for April 26<sup>th</sup>. The required TEFRA hearing would be held after the District's regular board meeting on April 11<sup>th</sup>, 2001.
- d. That a one day trip to Austin with Todd Hunter has been scheduled for March 27<sup>th</sup> or 28<sup>th</sup>. The Port Director stated that this was an important event for all Board Members because there is a lot of legislation regarding port authorities in the State Legislature this session.
- e. The Port Director introduced Ms. Linda Reese to the Board. Ms. Reese submitted a proposal for environmental consulting services to the Board.

Agenda Item No. 6: Receive Bids for the 2001 Inner Harbor Dredging Project.

The Port Director opened and read aloud the two bids received for the 2001 Harbor Dredging Project.

## BID TABULATION SHEET

**2001 DREDGING PROJECT**  
**Port of Port Lavaca-Point Comfort**  
**for the**  
**Calhoun County Navigation District**

Item No.	Description	Unit	Qty.	King Fisher Unit Price	T.W. LaQuay Dredging Unit Price
1	Dredging of approx. 42,000 C.Y. of Dredge Spoil Material to a depth of 36' MLT Plus allowable one foot overdepth from General Cargo Dock and Liquid Dock Areas, placed in the designed on-site Dredge Disposal Area	C.Y.	42,000	\$274,680.00	\$189,840.00
2	Dredging of approx. 13,000 C.Y. of Dredge Spoil Material to a depth of 30' MLT from the Multi-Purpose Dock Area, placed in the Designated on site Dredge Disposal Area.	C.Y.	13,000	\$85,000.00	\$58,760.00
<b>TOTAL BASE BID</b>				\$359,700.00	\$248,600.00

**Owner's Options**

A	Stand by time for Dredge and Auxiliary Equipment AS REQUIRED BY OWNER	HR		\$1,200.00 per hour	\$650 per hour
B	Additional Mobilization and Demobilization IF REQUIRED BY OWNER	LS		\$60,000.00	\$50,000.00

Bid Bond		Yes	Yes
Acknowledges Addenda		N/A	NA

A motion was made by Board Member Blasingim, seconded by Board Member Kainer, and motion carried unanimously that the bids received for the 2001 Harbor Dredging Project be tabled and referred to Mickey Sappington, Project Engineer, for a detailed analysis and that the analysis be scheduled for review at the April 11<sup>th</sup>, 2001 meeting.

Board Chairman Randy Boyd announced at 9:26 a.m. that the Board would convene into closed session as authorized by TEX. GOVT Code §551.072 for purposes of conferring with the Board's legal counsel where the Board seeks the attorney's advice on matters that are protected by the attorney/client privilege and in matters in which the duty of the attorney to the Board of Commissioners under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Texas Gov't Code, ch. 551.

To discuss the purchase, exchange, lease or value of real property  
 regarding MacCallum Marine Towing.

The Board reconvened in open session at approximately 10:03 a.m. Board Chairman Randy Boyd stated that no action was taken in closed session.

Agenda Item No. 7: Receive presentation from MacCallum Marine Towing for placement of an additional harbor tug at Calhoun County Navigation District dock facilities and take any action necessary.

Mr. Frank McNiff, attorney for MacCallum Marine Towing, made a presentation to the Board on MacCallum Marine Towing of Corpus Christi request to base a harbor tug at the port. He introduced Mr. Pete MacCallum to the Board. Mr. MacCallum stated that his towing company was a new venture for him but that he had several other marine related businesses in operation. Mr. Frank McNiff further stated that Mr. MacCallum made this request because some of the shipping agents requested that he do so. After an analysis of the port shipping traffic was made, he felt that there is enough business to support an additional harbor tug.

A discussion ensued by Mr. McNiff and the Board on the port's Tariff Subrule 54 regarding the harbor tug service. He stated that some vessel agents had conveyed to him that they do not understand that the use of other tugs are permissible in addition to the resident harbor tug service.

The Port's General Counsel reminded Mr. McNiff that the Tariff states that resident harbor tug service does not have exclusive service.

Board Chairman Randy Boyd announced at 10:21 a.m. that the Board would convene into closed session as authorized by TEX. GOV'T Code §551.072 for purposes of conferring with the Board's legal counsel where the Board seeks the attorney's advice on matters that are protected by the attorney/client privilege and in matters in which the duty of the attorney to the Board of Commissioners under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Texas Gov't Code, ch. 551.

To discuss the purchase, exchange, lease or value of real property regarding MacCallum Marine Towing.

The Board reconvened in open session at approximately 10:31 a.m. Board Chairman Randy Boyd stated that no action was taken in closed session.

A motion was made by Board Member Wehmeyer, seconded by Board Secretary Martinez and motion carried unanimously to table the request of MacCallum Marine Towing for placement of an additional harbor tug at the Calhoun County Navigation District dock facilities. Further that Port General Counsel and the Port Director review the proposal and report back to the Board.

Agenda Item No. 8: Review and Consideration of request of Point Comfort Mooring Company to sublet space in portable office building to MacCallum Marine Towing.

After a brief discussion on this agenda item, a motion was made by Board Member Wehmeyer, seconded by Board Member Kainer, and motion carried unanimously to table the request of Point Comfort Mooring Company to sublet space in their portable office building to MacCallum Marine Towing.

Agenda Item No. 9: Review and Consideration of Depository Agreement for the period June 1, 2001 through May 30, 2003 and take any action necessary.

(After Agenda Item No. 6)

Board Member Melcher and Board Member Wehmeyer executed an Affidavit Disclosure of Conflict of Interest Regarding the Depository Agreement agenda item.

Copy

Both Board Member Melcher and Board Member Wehmeyer abstained from any conversation and left the Board Room for this agenda item.

A discussion ensued on the Depository Agreement for the period June 1, 2001 through May 30, 2003. The Port Director reported that in May 1999 the Depository Agreement was awarded to International Bank of Commerce for a two year period ending May 30<sup>th</sup>, 2001 and that this agreement contained a two year extension option with Board approval for the period June 1, 2001 through May 30, 2003.

After further review and discussion, a motion was made Board Member Blasingim, seconded by Board Secretary Martinez, and motion carried to extend the Depository Agreement with International Bank of Commerce for an additional two years for the period June 1, 2001 through May 30, 2003.

Mr. Richard Bothe, President of International Bank of Commerce, thanked the Board Members.

Agenda Item No. 10: . Review and Consideration of request of Texana Rice for a sixty (60) day extension of "Memorandum of Preliminary Project Agreement."

The Port Director reported that the District had received a request from Texana Rice Co. for a sixty-day extension of the Memorandum of Preliminary Project Agreement approved by the Board. He further recommended that this extension be granted due to the cargo diversity potential and the market advantage this facility would provide to agricultural producers.

After further discussion, a motion was made by Board Member Kainer, seconded by Board Secretary Martinez, and motion carried unanimously to extend the Memorandum of Preliminary Project Agreement with Texana Rice Co. for sixty additional days.

Agenda Item No. 11

Board Chairman Randy Boyd announced at 10:53 a.m. that the Board would convene into closed session as authorized by TEX. GOVT Code §551.071 for purposes of conferring with the Board's legal counsel where the Board seeks the attorney's advice on matters that are protected by the attorney/client privilege, and for purposes of discussing the following pending litigation:

S.Ct. No. 00-1211; Cause No. 13-99-343-CV; Tr. Ct. No. 98-6-13406-B; Paula S. Wakefield Duncan, et al v. Calhoun County Navigation District;

S.Ct. No. 00-1209; Cause No. 13-99-344-CV; Tr. Ct. No. 98-6-13403-B; Louis Foester, III, et al v. Calhoun County Navigation District;

S.Ct. No. 00-1210; Cause No. 13-99-345-CV; Tr. Ct. No. 98-6-13404-B; Josephine Foester Bishop Investment Partnership, Ltd., et al v. Calhoun County Navigation District;

S.Ct. No. 00-1208; Cause No. 13-99-346-CV; Tr. Ct. No. 98-6-13408-B; Wayne Henderson, et al v. Calhoun County Navigation District; and

S.Ct. No. 00-1207; Cause No. 13-99-347-CV; Tr. Ct. No. 98-6-13407-B; James E. Shannon, Jr., et al v. Calhoun County Navigation District.

Board Member Melcher departed.

As authorized by TEX GOVT Code §551.071 for purposes of conferring with the Board's legal counsel where the Board seeks the attorney's advice on matters that are protected by the attorney/client privilege, and for purposes of discussing negotiations with Alcoa regarding the Superfund Remediation properties.

As authorized by TEX GOVT Code §551.071 for purposes of conferring with the Board's legal counsel where the Board seeks the attorney's advice on matters that are protected by the attorney/client privilege and in matters in which the duty of the attorney to the Board of Commissioners under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly conflicts with Tex. Gov't Code, ch. 551.

Agenda Item No. 12: Return to open session and take any action deemed necessary based upon discussions in closed meeting.

The Board reconvened in open session at approximately 12:39 p.m. Board Chairman Randy Boyd stated that no action was taken in closed session.

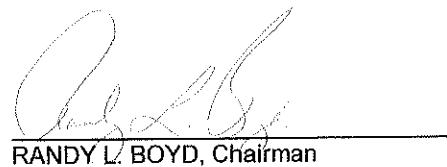
A motion was made by Board Member Wehmeyer that pursuant to §60.038 of the Texas Water Code, the CCND Board hereby declares that the northern portion of Dredge Island (Alcoa's CDF comprised of approximately 259.523 acres) and the

accrued lands (comprised of approximately 40.32 acres) are surplus lands and no longer needed by the CCND for navigational purposes and available for sale.

Motion was seconded by Board Secretary Martinez and motion carried.

Agenda Item No. 13: Adjourn.

There being no further business to be brought before the Board, a motion was duly made and seconded that the meeting be declared adjourned at 12:41 p.m.



RANDY L. BOYD, Chairman

ATTEST:



ROGER G. MARTINEZ, Secretary

CALHOUN COUNTY NAVIGATION DISTRICT  
REGULAR MEETING  
APRIL 11, 2001

The regular meeting of the Calhoun County Navigation District was held on Wednesday, April 11, 2001, at 9:00 a.m. in the Calhoun County Navigation District Board Room, Calhoun County Navigation District Office, Point Comfort, Texas.

Board Members attending were:

Commissioner # 1 – Randy L. Boyd  
Commissioner # 2 – Leo J. Kainer  
Commissioner # 3 – J. C. Melcher, Jr.  
Commissioner # 4 – Paul Blasingim  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Robert H. Van Borssum – Port Director  
Charles Hausmann – Assistant to Port Director  
Wanda Roberts – Port General Counsel  
Ellen Buchanan – Secretary to Port Director

Also present were:

Greg Salinas – McCall, Parker & Horton  
Robert Henderson – Dain Rauscher  
Jack Wu – Formosa Plastics Corporation, TX  
Forrest Webster – Texas Liquid Fertilizer  
Howard West – Texas Liquid Fertilizer  
Steve Bales – Port Lavaca Wave  
Frank Sternadel – Alcoa Marine  
Larry Robinson – Matagorda Bay Pilot  
Carl Bond – Point Comfort Mooring Co.  
Mickey Sappington – G & W Engineers, Inc.

Agenda Item No. 1: Call to Order.

Board Chairman Randy Boyd called the regular meeting to order at approximately 9:00 a.m. He stated that the agenda of this meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

Pledge of Allegiance

Agenda Item No. 2: Approve the minutes of the March 14, 2001 Regular Meeting and March 28, 2001 Special Meeting.

The minutes of the March 14, 2001 Regular Meeting and the March 28, 2001 Special Meeting were presented to the Board. A motion was made by Board Member Blasingim, seconded by Board Secretary Martinez, and motion carried unanimously to approve the minutes of the March 14, 2001 Regular Meeting as corrected and the March 28, 2001 Special Meeting as presented.

Agenda Item No. 3: Review of Financial Report: All Funds.

Mr. Charles Hausmann presented the following financial information to the Board for review:

- 1) March 31, 2001 Fund Balance Report.
- 2) Fiscal Year 2001, Third Quarter Navigation District Fund Investments Report.
- 3) General Cargo Dock Expansion Project Budget Bond Proceed Expenditures as of 04/09/01.
- 4) Accounts Receivable Schedule as of April 11, 2001.

Agenda Item No. 4: Approval of Disbursements and Transfers: All Funds.

The Board reviewed the April 11, 2001 disbursements. After review of the disbursements, a motion was made by Board Member Wehmeyer, seconded by Board Member Kainer, and motion carried that Check Nos. 11471 through 11540 from the Port Operations Account be approved for payment.

A motion was made by Board Member Kainer, seconded by Board Member Wehmeyer, and motion carried unanimously to approve the following fund transfers:

CHECK NO.	FUND ACCOUNT	AMOUNT
<u>Gross Revenue Fund</u>		
1085	Port Operations Account	\$5,060.73
1086	Port Operations Account	5,427.01
1087	Port Operations Account	<u>235,716.77</u>
	Total	\$ 246,204.51
<u>Maintenance and Operation Fund</u>		
1074	Port Operations Account	\$2,667.19
1075	Port Operations Account	2,356.91
1076	Port Operations Account	<u>3,376.11</u>
	Total	8,400.21
<u>Business Development Fund</u>		
1032	Port Operations Account	<u>\$753.37</u>
	Total	753.37
<u>Depreciation &amp; Major Repair Fund</u>		
1004	Port Operations Account	\$2,958.50
	Total	2,958.50
<u>Port Expansion Gross Revenue Fund</u>		
1079	Port Operations Account	\$13,936.48
1080	Port Operations Account	16,896.73
1081	Port Operations Account	62,459.17
	Total	\$93,292.38

1027	<u>AN/NH3 Operating Fund</u> Port Operations Account	\$15,176.01	<u>15,176.01</u>
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<b>TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT</b>	<b>\$366,784.98</b>
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Date	From	Interfund Transfers	Amount
		To	
04-09-01	Gross Revenue Fund	General Cargo Dock Fund	\$3,500.00
		<b>TOTAL INTERFUND TRANSFERS</b>	<b>\$3,500.00</b>

A motion was made by Board Secretary Martinez, seconded by Board Member Kainer, and motion carried unanimously to approve Check No. 1025 for the GCD Expansion Project Fund.

A motion was made by Board Member Kainer, seconded by Board Member Blasingim and motion carried unanimously to approve Check No. 1044 for the Pipeline Right of Way Project Account.

A motion was made by Board Member Kainer, seconded by Board Member Blasingim and motion carried unanimously to approve to approve Requisition No. 21 for the Bond Proceeds Requisitioned through Trustee Bank Requisition Register.

Agenda Item No. 5: Port Director's Report.

Robert H. Van Borssum, Port Director, reported the following harbor traffic statistics for the month of March, 2001:

BP/Amoco Cargoes:	9 Ships	83,995.7 Short Tons
	2 Barges	
Formosa Cargoes:	17 Ships	249,628.9 Short Tons
	30 Barges	72,337.3 Short Tons
Texas Liquid Fertilizer.....	2 Ships	22,857.1 Short Tons
	5 Barges	14,549.4 Short Tons
<b>Total</b>	<b>65 Vessel Movements</b>	<b>443,368.4 Short Tons</b>

- b. That March 2001 cargo throughput was an all time high. March had 65 vessels which included 27 deep draft arrivals of which 4 called on multiple berths. The previous record was June 2000, moved 415,332 short tons of cargo.
- c. Further, as of today's date, sixteen deep-sea vessels had been scheduled for arrival during the month of April.

- d. That the Port Director attended the April 10<sup>th</sup> meeting on the "Erosion Control Project" committee in conjunction with TGLO. Further that a second meeting was scheduled on April 12<sup>th</sup>.
- e. That a TNRCC compliance inspection was conducted at the port on solid waste, wastewater and stormwater permits and facilities. The port passed the inspection and compliance reviews with no exceptions noted.
- f. That regarding the federal lobbyist proposals, should be ready for review in May.
- g. That regarding the "Grain Export Feasibility Study", the contract to prepare this feasibility report had been awarded to MacKenzie Co. of Chicago. This study is scheduled to be completed with-in six months.

Agenda Item No. 6: Review and Consideration of Order Declaring Unopposed Candidates Elected and Canceling Election.

(After Agenda Item Nos. 13 and 14)

After the Board reviewed the Order declaring the three unopposed candidates for the May 5, 2001 election, a motion was made by Board Member Kainer, seconded by Board Member Blasingim, and motion carried unanimously to approve the following Order.

CALHOUN COUNTY NAVIGATION DISTRICT

ORDER DECLARING UNOPPOSED CANDIDATES ELECTED  
AND CANCELING ELECTION

On this the 11<sup>TH</sup> day of April, 2001, the Board Members of Calhoun County Navigation District convened with the following members present, to wit:

<u>Randy L. Boyd</u>	<u>Paul Blasingim</u>
<u>Leo J. Kainer</u>	<u>Roger G. Martinez</u>
<u>J. C. Melcher, Jr.</u>	<u>H. C. Wehmeyer, Jr.</u>
_____	_____

The following members were absent: \_\_\_\_\_ None \_\_\_\_\_

The foregoing members present constitute a quorum of the Board, and among other proceedings, the Board Members took the following action:

IT IS HEREBY ORDERED BY THE BOARD MEMBERS OF THE CALHOUN COUNTY NAVIGATION DISTRICT:

1. That the election scheduled to be held between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 5, 2001, for the purpose of electing to the Board of this Calhoun County Navigation District, 3 members (Districts. 1,5, 6).

**BE CANCELLED.**

2. The Board Members have received certification from the Port Director of the Calhoun County Navigation District that all candidates for the positions on the ballot are unopposed, no write-in candidates, and there is no proposition scheduled to appear on the ballot.
3. It is therefore found and declared and so ordered that the following candidates each be declared elected to the Calhoun County Navigation District Board for a four year term.
4. A copy of this order shall be posted where regular notices of the Calhoun County Navigation District meetings are posted and also at the Calhoun County Courthouse. This will remain posted until after the May 5, 2001 election date.
5. The Oath of Office will be administered to the newly elected Members at a regular meeting of the Calhoun County Navigation District at 9:00 a.m. on 9<sup>th</sup> day of May, 2001. Following this, each newly elected Member will be issued a Certificate of Election.

Upon Motion by Leo J. Kainer, seconded by Paul Blasingim, the foregoing Order was duly adopted by a majority of the quorum present.

PASSED, ADOPTED AND APPROVED on this the 11th day of April, 2001.

CALHOUN COUNTY NAVIGATON DISTRICT  
COMMISSIONERS

/s/ Randy L. Boyd  
Randy L. Boyd, Board Chairman

Attest:

/s/ Roger G. Martinez  
Roger G. Martinez, Board Secretary

Agenda Item No. 7: Review of Bids for 2001 Harbor Dredging Project received March 14, 2001 and take any necessary action.

Mickey Sappington, Consulting Engineer reported that T.W. LaQuay Dredging was the low bidder for the 2001 Harbor Dredging Project. He requested that the Board re-table the awarding of this bid in order to further research the scheduling of the dredging with the Corp of Engineers.

A motion was made by Board Member Wehmeyer, seconded by Board Member Kainer and motion carried to re-table the awarding of the 2001 Harbor Dredging Project for the May 9, 2001 Board Meeting.

Board Chairman Boyd abstained from voting.

Agenda Item No. 8: Authorization for final payment to Sylva Construction Company and release of retainage for the GCD Road Rehabilitation Project in the amount of \$189,768.00.

The Port Director presented a recommendation for final payment to Sylva Construction Company for the General Cargo Dock Entrance Road Rehabilitation

Project. It was also recommended that a letter be sent to Sylva Construction Company complimenting Sylva Construction Company on an excellent finished product and the work crew assigned to this project.

A motion was made by Board Member Wehmeyer, seconded by Board Member Kainer, and motion carried unanimously to approve Payment No. 1 and final payment to Sylva Construction Company for the General Cargo Dock Road Rehabilitation project in the amount of \$189, 768.00

Agenda Item No. 9: Review of "Shallow Water Dispersant Demonstration Project" in West Matagorda Bay and take any necessary action

A discussion ensued on the proposed TGLO shallow water dispersant demonstration project proposed to occur in West Matagorda Bay. This TGLO demonstration would involve dispensing 400 gallons of crude oil in West Matagorda Bay and then treat it with an oil dispersant, COREXIT. Board Member Melcher reported that he had attended the TGLO public meeting and stated to the Board that he opposed an oil spill over the district's submerged land. Also, that Calhoun County shrimpers had opposed this demonstration project.

After further discussion, a motion was made by Board Member Melcher that the Navigation District authorize the Port Director to prepare a resolution to the Texas General Land Office opposing the TGLO Shallow Water Dispersant Demonstration Project in West Matagorda Bay area.

Board Member Blasingim seconded the motion, and motion carried unanimously.

Agenda Item No. 10: Review and Consideration of Fiscal Year 2001 Budget Amendments.

The Port Director presented the Board proposed Fiscal Year 2001 Budget Amendments.

After this review, a motion was made by Board Member Wehmeyer, seconded by Board Secretary Martinez, and motion carried unanimously to approve the following amendments:

Revenues:

Bond Issuer Fees: was 0, amend to \$187,500.00 (+\$187,500)

Non-Harbor Operations Revenue:

CPL Temporary Easement: was \$27,000 amend to  
\$54,300 (+\$27,300)

CPL Annual Easement: was 0, amend to \$66,000  
(+\$66,000)

Recovery of Damages: was \$1,477, amend to \$33,477  
(+\$32,000)

Expenditures:

Legal Fees & Expenses: was \$120,000, amend to \$180,000  
(+\$60,000)

Auto Use Reimbursement: was \$7,250, amend to \$9,000  
(+\$1,750)

Dues & Subscriptions: was \$7,250, amend to \$8,000  
(+\$750)

Maintenance & Repair Terminals/Facilities:

Fire System Maintenance/Repair: was \$15,000, amend to  
\$35,000 (+\$20,000)

Disposal Area Levee: was \$19,000, amend to \$4,000  
(- \$15,000)

2001 Harbor Dredging Project: was \$232,5000, amend to  
\$248,600 (+\$16,100)

LPS Dock Damage Repair: was 0, amend to \$32,000  
(+\$32,000)

Vehicle & Equipment Purchase:

VHS Radio Purchase: was \$1,276, amend to \$5,500  
(+4,224)

Agenda Item No. 11: Review and Consideration Memorandum of Preliminary Project Agreement with Abell Corporation.

The Port Director reported that the Abell Corporation has requested a Memorandum of Preliminary Project Agreement on 2.61 acres of the 5.74 acre tract with the port for 90 days. The Abell Corporation has expressed their desire to research expanding their liquid bulk facility to increase the volume of imported nitrogen solution and the capability to ship this product by rail to western states.

A motion was made by Board Member Wehmeyer, seconded by Board Secretary Martinez, and motion carried unanimously to approve the Memorandum of Preliminary Project Agreement with Abell Corporation and authorize the Board Chairman and Board Secretary to execute this agreement.

**COPY OF AGREEMENT**

Agenda Item No. 12: Review and Consideration of amendment to Tariff Amendment Item No. 425, Subrule 66.

The Port Director requested that Tariff Amendment Item No. 425, Subrule 66 be amended to assess the \$50.00 fee on all dock to boat transfer to a vessel supply transfer transactions. Further, that this amendment would remove the restriction on the assessment of this fee if the vessel was subject to wharfage or dockage fees.

A motion was made by Board Member Wehmeyer, seconded by Board Member Kainer, and motion carried unanimously to amend Tariff Item No. 425, Subrule 66 to assess the \$50.00 fee.

Agenda Item No. 13: Conduct a public hearing regarding the issuance by the District of solid waste disposal revenue bonds not exceed \$25,000,000 in principal amount to finance the costs of acquisition, construction and improvement of certain solid waste disposal facilities of Formosa Plastics Corporation, Texas.

(After Agenda Item No. 5)

Board Chairman Boyd called the Public Hearing to order. He opened the hearing with respect to the issuance by the Calhoun County Navigation District of Solid Waste Disposal Revenue Bonds not to exceed \$25,000,000.

Board Chairman Boyd made the following announcements:

**Does anyone present desire to speak in favor the Bonds?**

The Port Director reported that the Board Members had adopted an inducement resolution for the issuance of solid waste disposal revenue bonds not to exceed \$25,000,000 for Formosa Plastics Corporation, Texas on August 16<sup>th</sup>, 2000.

Further, that an advance notice of this public hearing had been published in the Port Lavaca Wave.

**Does anyone present desire to speak against the Bonds?**

None

Agenda Item No. 14: Consideration and Adoption of a Resolution Authorizing The Calhoun County Navigation District Solid waste Disposal Revenue Bonds (Formosa Plastics Corporation, Texas Project), Series 2001, Authorizing The Execution of a Trust Indenture, and Installment Sale Agreement, and an Underwriting Agreement; Approval of an Official Statement; and Other Matters in Connection Therewith."

Mr. Greg Salinas, Bond Counsel reported that McCall, Parkhurst & Horton was successful in obtaining the \$25,000,000 capacity for this bond issue.

A motion was made by Board Member Melcher, seconded by Board Secretary Martinez, and motion carried unanimously to adopt the following Resolution:

**RESOLUTION AUTHORIZING THE CALHOUN COUNTY NAVIGATION DISTRICT SOLID WASTE DISPOSAL REVENUE BONDS (FORMOSA PLASTICS CORPORATION, TEXAS PROJECT), SEERIES 2001; AUTHORIZING THE EXECUTION OF A TRUST INDENTURE, AND INSTALLMENT SALE AGREEMENT, AND AN UNDERWRITING AGREEMENT; APPROVAL OF AN OFFICAL STATEMENT; AND OTHER MATTERS IN CONNECTION THEREWITH**

Board Chairman Boyd stated that the Board would recess for ten minutes.

The Board reconvened into regular session at 9:42 a.m.

Agenda Item No. 15.

At 9:42 a.m. Board Chairman Boyd stated that pursuant to the provisions of Chapter 551 of the Texas Open Meetings Act, the Board would convene in closed session as authorized by TEX. GOV'T Code §551.072 for purpose of conferring with the Board's legal counsel where the Board seeks the attorney's advice on matters that are protected by the attorney/client privilege and in matters in which the duty of the attorney to the Board of Commissioners under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Texas Gov't Code, ch. 551.

To discuss the purchase, exchange, lease or value of real property regarding MacCallum Marine Towing.

Agenda Item No. 16: Return to open session and take any action deemed necessary based upon discussions in closed meeting.

The Board reconvened into regular session at 10:13 a.m. Board Chairman Boyd stated that no action was taken in closed session.

Agenda Item No. 17: Adjourn.

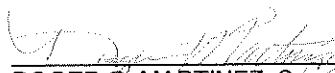
There being no further business to be brought before the Board, a motion was duly made and seconded that the meeting be declared adjourned.



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RANDY L. BOYD, Chairman

ATTEST:



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ROGER G. MARTINEZ, Secretary

CALHOUN COUNTY NAVIGATION DISTRICT  
REGULAR MEETING  
MAY 9, 2001

The regular meeting of the Calhoun County Navigation District was held on Wednesday, May 9, 2001, at 9:00 a.m. in the Calhoun County Navigation District Board Room, Calhoun County Navigation District Office, Point Comfort, Texas

Board Members attending were:

Commissioner # 1 – Randy L. Boyd  
Commissioner # 2 - Leo J. Kainer  
Commissioner # 3 – J. C. Melcher, Jr.  
Commissioner # 4 – Paul Blasingim  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Robert H. Van Borssum - Port Director  
Charles Hausmann – Assistant to Port Director  
Wanda Roberts – Port General Counsel

Also present were:

Mickey Sappington – G & W Engineers, Inc.  
Pete MacCallum, - MacCallum Marine Towing  
Frank Sternadel – Alcoa Marine  
Jimmy Dio, - Point Comfort Towing  
Allen Newsome – Alcoa Marine

Agenda Item No. 1: Call to Order:

Board Chairman Randy L. Boyd called the Regular Meeting to order at approximately 9:00 a.m. He announced that the agenda of this meeting was posted in accordance with the provisions of the Texas Open Meeting Act.

Pledge of Allegiance

Agenda Item No. 2: Port Director Robert H. Van Borssum administer the Oath of Office to Elected Port Commissioners District Nos. 1, 5, and 6.

Port Director Robert H. Van Borssum administered the Oath of Office to Elected Port Commissioners, Randy L. Boyd, District No. 1, Roger G. Martinez, District No. 5 and H. C. Tony Wehmeyer, Jr., District No. 6. It was noted that all required bonds and election information had been filed with the Texas Secretary of State.

Agenda Item No. 3: Election of Board Officers for the Period May 9, 2001 through May 14, 2003.

Pursuant to discussion on the terms of the Board Offices, May 9<sup>th</sup>, 2001 through May 14<sup>th</sup>, 2003, a motion was made by Board Member H. C. Wehmeyer, Jr., that Roger G. Martinez be nominated as Board Chairman. The motion was seconded by Board Member Leo G. Kainer and motion carried unanimously. Regarding the position of Board Secretary, a motion was made by Board Member H. C. Wehmeyer, Jr., to nominate Board Member J. C. Melcher, Jr., as Board Secretary. The motion was seconded by Board Member Paul Blasingim and the motion carried unanimously. Board Chairman Randy L. Boyd congratulated Mr. Roger G. Martinez and transferred the chair for the remainder of the May regular meeting to Mr. Roger G. Martinez.

Agenda Item No. 4: Approve the minutes of the April 11, 2001 Regular Meeting.

The minutes of the April 11, 2001 Regular Meeting were presented to the Board. A motion was made by Board Member Randy L. Boyd to approve the minutes of the April 11<sup>th</sup>, 2001 Regular Meeting as presented. The motion was seconded by Board Member H. C. Wehmeyer, Jr., and the motion carried unanimously.

Agenda Item No. 5: Review of Financial Report: All Funds.

Mr. Charles Hausmann presented the following financial information to the Board Members for Review.

- 1) April 30, 2001 Fund Balance Report.
- 2) General Cargo Dock Expansion Project Budget Bond Proceed Expenditures Report as of 05/09/01.
- 3) Accounts Receivable schedule as of April 11, 2001.

Agenda Item No. 6: Approval of Disbursements and Transfers: All Funds

The Board reviewed the May 9, 2001 disbursements. After review of the disbursements, a motion was made by Board Member H. C. Wehmeyer, Jr., that the operations account disbursements 11541 through 11668 be approved. The motion was seconded by Board Secretary J. C. Melcher, Jr., and the motion carried unanimously.

A motion was made by Board Member Randy L. Boyd, seconded by Board Member Leo Kainer, and motion carried unanimously to approve the following fund transfers:

CHECK NO.	FUND ACCOUNT	AMOUNT
<u>Gross Revenue Fund</u>		
1087	To Port Operations Account	\$5,086.07
1091	To Port Operations Account	5,028.62
1094	To Port Operations Account	22,467.56
	Total	\$32,582.25
<u>Maintenance and Operations Fund</u>		
1079	To Port Operations Account	\$2,458.63
1080	To Port Operations Account	2,688.40
1082	To Port Operations Account	2,683.13
	Total	\$7830.16
<u>Business Development Fund</u>		
1033	To Port Operations Account	\$2,035.65
		\$2035.65
<u>Depreciation &amp; Major Repairs Fund</u>		
1005	To Port Operations Account	\$551.00
	Total	\$551.00
<u>Port Expansion Gross Revenue Fund</u>		
1081	To Port Operations Account	\$14,135.38
1085	To Port Operations Account	14,683.08
1087	To Port Operations Account	62,362.25
	Total	\$91,180.71
<u>AN/NH# Operations Fund</u>		
1028	To Port Operations Account	\$24,592.99
		\$24,592.99
TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT		
		\$158,772.76
=====		
Interfund Transfers		
Date	From	To
05-09-01	Gross Revenue Fund	General Cargo Dock Fund
05-09-01	Gross Revenue Fund	General Cargo Dock Fund
		\$3,500.00
		<u>\$99,087.24</u>
	TOTAL INTERFUND TRANSFERS	
		\$102,587.24

A motion was made by Board Member Leo J. Kainer, seconded by Board Member Randy L. Boyd and motion carried unanimously to approve check No. 1045 for the Pipeline Right of Way Project Account.

A motion was made by Board Member Randy L. Boyd, seconded by Board Member H.C. Wehmeyer, Jr., and motion carried unanimously to approve disbursements of \$101,570.74 for the GCD Expansion Project Fund.

A motion was made by Board Member H.C. Wehmeyer, Jr., and seconded by Board Member Randy L. Boyd and motion carried unanimously to approve Requisition No 22 through 23 for the Bond Proceed through Trustee Bank Requisition Register.

Agenda Item No. 7: Port Director's Report.

Robert H. Van Borssum, Port Director, reported the following harbor traffic statistics for the month of April 2001.

BP/Amoco Cargoes:	Ships 4 Barges	42,159.1 Short Tons
Formosa Cargoes:	14 Ships 26 Barges	256,015.7 Short Tons
Texas Liquid Fertilizer	4 Barges	7,440.8 Short Tons.
<u>Total</u>	<u>54 Vessel Movements</u>	<u>305,615.6 Short Tons.</u>

- b. Further that 20 deep-sea arrivals were scheduled to arrive in May 2001 for another busy month.
- c. Reported that the repairs to the Liquid Pier South had been delayed pending the availability of the Liquid Pier South pier berth due to heavy ship traffic.
- d. Reported that regarding the erosion control project, that the committee had met three times in the last month, the most recent with the project design engineer. It was the committee's plan to report back to the governing bodies (Calhoun County Navigation District and Calhoun County) within the next few weeks with a tangible recommendation, pending receipt and review of information from the consulting engineer of the project.
- e. Regarding the retention of a federal lobbyist, that only one proposal has been received to date from the three firms contacted.

Agenda Item No. 15.

At 9:15 a.m., Board Chairman Roger Martinez stated that pursuant to the provisions of chapter 551 of the Texas Open Meetings Act, the Board would

convene in closed session as authorized by TEX. GOV'T Code No. §551.072 for the purpose of conferring with the Board's legal counsel where the Board seeks the attorney's advice on matters that are protected by the attorney/client privilege and in matters in which the duty of the attorney to the Board of Commissioners under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Texas Gov't Code, ch. 551.

To discuss the purchase, lease, exchange or value of real property regarding MacCallum Marine Towing Co.

Agenda Item No. 16:

The Board reconvened into regular session at 9:35 a.m. Board Chairman Roger G. Martinez announced that no action had been taken in closed session.

Agenda Item No. 8: Review and Consideration of request of MacCallum Marine Towing for placement of an additional harbor tug at Calhoun County Navigation District Dock facilities and take any action necessary.

Pursuant to the review of a recommendation from the Port General Counsel and Port Director, a motion was made by Board Secretary J.C. Melcher, Jr. that pursuant to staff and counsel recommendation, MacCallum Marine Towing Co., be granted a berth at the prevailing tariff rates and further that Port General Counsel be authorized to advise counsel for MacCallum Marine Towing Co. of the Board decision and of the requirement for financial information submittal. The motion was seconded by Board Member Randy L. Boyd and the motion was approved. Board Member Paul R. Blasingim voted NO on the motion.

Agenda Item No. 9: Review and Consideration of request of Point Comfort Mooring Company to sublease portable building.

The Port Director reported to the Board Members that this item had been tabled at the March 2001 Regular Meeting. He further reported that it was his recommendation that the sublease be approved and that no further portable office buildings be placed on port premises due to safety/emergency notification issues. Discussion ensued among the Board Members and the Port Director on the issue of a moratorium on portable office building space and that this issue would be placed on the agenda of a future meeting. Pursuant to this discussion, a motion was made by Board Secretary J.C. Melcher, Jr., to approve a sublease

to MacCallum Marine Towing Co. in the office building lease of Point Comfort Mooring Co. on a month to month basis at the additional cost of \$50.00 per month. The motion was seconded by Board Member Paul R. Blasingim and the motion was approved. Board Member H. C. Wehmeyer voted NO on the motion.

Agenda Item No. 10: Review of Bids for 2001 Harbor Dredging Project received March 14, 2001 and take necessary action.

Project Consulting Engineer Mickey Sappington of G&W Engineers, Inc. reported to the Board Members that his research has been completed and he recommended that the contract for the 2001 Harbor Dredging Project be awarded to T.W. LaQuay Dredging Company in the amount of \$248,600.00. Discussion ensued among the Board Members, Port Director and Project Engineer regarding the schedule and disposal area plans and schedule of the contractor. A motion was made by Board Member H. C. Wehmeyer, Jr., that the contract for the 2001 Harbor Dredging Project be awarded to T.W. LaQuay Dredging Company in the amount of \$248,600.00. The motion was seconded by Board Member Randy L. Boyd and the motion was unanimously approved.

Agenda Item No. 11: Review and Consideration of approval of final payment and release of retainage to Stolt Comex Seaway General Contracting, Inc. in the total amount of \$285,637.67.

The Port Director reported to the Board Members that the Consulting Engineer for the General Cargo Dock Expansion Project had furnished to the Navigation District notice of completion of the project and a recommendation for final payment to the General Contractor, Stolt Comex Seaway General Contracting, Inc. and release of retaining amount. Discussion ensued among the Board Members and the Consulting Engineer regarding the receipt of necessary certifications. Pursuant to this discussion, a motion was made by Board Member Paul R. Blasingim, that the following final payment and retainage amount be approved for disbursement:

Amounts from District funds: \$1,807.24 final payment, \$97,280.00 retainage amount from Series 2000, \$5.5 million Revenue Bond Issue funds: \$47,410.43 final payment and \$186,550.43 retainage amount. The motion was seconded by Board Member Randy L. Boyd and the motion was unanimously approved.

Agenda Item No. 12: Review and Consideration of authorization to open AN/NH3 Major Repair/Depreciation Bank Account.

The Assistant to the Port Director requested Board authorization to open a new account specifically for AN/NH3 Major Repair/Depreciation purpose. He further requested that a total of \$75,000.00 be authorized for immediate deposit to this new account. It was further requested that \$7,500.00 be transferred to this dedicated account each month from the AN/NH3 Operating Account. Discussion ensued among the Board Members, the Port Director and the Assistant to the Port Director on the future restrictions and utilization of this account balance. Pursuant to this discussion, a motion was made by Board Member Randy L. Boyd that authorization be approved for port staff to open a new account titled the AN/NH3 Major Repair/Depreciation Account in the initial amount of \$75,000.00 and that \$7,500.00 be transferred each month to this account from the AN/NH3 operating account. The motion was seconded by Board Member H.C. Wehmeyer, Jr., and the motion was approved unanimously.

Agenda Item No. 13: Review and Consideration of approval of Easement Agreement with Neumin Production Co., for 7.25 Rods.

The Port Director reported to the Board Members that a request had been received from Neumin Production Company for a submerged easement for a 7.25 rod 4.0" natural gas pipeline. Further, that this pipeline was in state tract No. 26, one of the tracts that the Navigation District had obtained from the State of Texas in an exchange of submerged lands in 1999. The Board Members reviewed a proposed Submerged Lease Agreement prepared by Port General Counsel Wanda Roberts for this 7.25 rod easement. Discussion ensued on the easement fee for the ten-year primary lease term in the amount of \$159.50. Pursuant to this discussion, a motion was made by Board Secretary, J. C. Melcher, Jr. that the Submerged Easement Agreement as prepared by Port General Counsel Wanda Roberts be approved and that Neumin Production Company be invoiced for any fees charged by Port General Counsel in the preparation of this submerged easement agreement in addition to the \$159.50 easement fee. Further, that the Board Chairman and Secretary be authorized to

execute this Submerged Easement Agreement. The motion was seconded by Board Member Paul R. Blasingim and the motion was approved unanimously.

Agenda Item No. 14: Review and Consideration of approval of Resolution regarding Calhoun County Navigation District property taxes on Tract No. R19233 Bayview Addition, Block F, Lots 1,2,3, and all of 4-9, 1.21 acres

A Resolution prepared by Port General Counsel Wanda Roberts was presented to the Board Members that would cancel the Calhoun County Navigation District delinquent taxes on Tract No. R19233 Bayview Addition, Block F., ts 1,2,3, and all of 4 –9, 1.21 acres. Port General Counsel Sandra Witte, reported on the components of this resolution and actions of the governing board of other taxing entities in Calhoun County. Discussion ensued among the Board Members and Special Counsel on the process and impact of this action and the forthcoming sale of this tract. A motion was made by Board Member H.C. Wehmeyer, Jr. that the Resolution be approved and that the Board Chairman and Board Secretary be authorized to execute this Resolution. The motion was seconded by Board Member Leo J. Kainer and was unanimously approved.

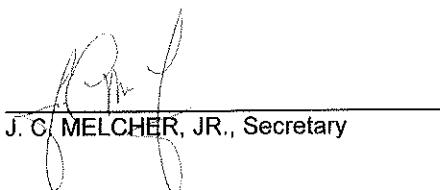
Agenda Item No. 17: Adjourn.

There being no further business to be brought before the Board, a motion was duly made and seconded that the meeting be declared adjourned at 9:50 a.m.



ROGER G. MARTINEZ, Chairman

ATTEST:



J. C. MELCHER, JR., Secretary

Calhoun County Navigation District  
Regular Meeting  
August 15, 2001

The regular meeting of the Calhoun County Navigation District was held on Wednesday, August 15, 2001, at 9:00 a.m. in the Calhoun County Navigation District Board Room, Calhoun County Navigation District Office, Point Comfort, Texas.

Board Members attending were:

Commissioner # 1 – Randy L. Boyd  
Commissioner # 2 – Leo J. Kainer  
Commissioner # 3 – J. C. Melcher, Jr.  
Commissioner # 4 – Paul Blasingim  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Robert H. Van Borssum - Port Director  
Charles Hausmann – Assistant to Port Director  
Wanda Roberts – Port General Counsel  
Larry Dio – Special Port Counsel  
Ellen Buchanan – Secretary to Port Director

Also present were:

Mickey Sappington – G & W Engineers, Inc.  
Tim LaQuay – T. W. LaQuay Dredging, Inc.  
Linda LaQuay – T. W. LaQuay Dredging, Inc.  
Larry Robinson – Matagorda Bay Pilot  
Forrest Webster – Texas Liquid Fertilizer  
Steve Bales – Port Lavaca Wave

Agenda Item No. 1: Call to Order:

Board Chairman Roger Martinez called the Regular Meeting to order at approximately 9:00 a.m. He announced that the agenda of this meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

Pledge of Allegiance

Board Chairman Roger Martinez congratulated the Board and The Port Director for earning the "Industry of the Year" award at the Port Lavaca/Calhoun County Chamber of Commerce Business and Industry Banquet. He expressed his appreciation to the Port Director and staff members and stated that this was the first time that a government entity had ever received this prestigious award.

Agenda Item No. 2: Approve the minutes of the July 11, 2001 Regular Meeting, July 23, 2001 Special Meeting, and July 30, 2001 Special Meeting.

The minutes of the July 11, 2001 Regular Meeting, July 23, 2001 Special Meeting and July 30, 2001 Special Meeting were presented to the Board. A motion was made by Board Member Randy L. Boyd to approve the minutes of the July 11, 2001 Regular Meeting, July 23, 2001 Special Meeting and the July 30, 2001 Special Meeting as presented. The motion was seconded by Board Member H. C. Wehmeyer, Jr., and the motion carried unanimously.

Agenda Item No. 3: Review of Financial Report: All Funds.

Mr. Charles Hausmann presented the following financial information to the Board Members for Review.

- 1) July 31, 2001 Fund Balance Report.
- 2) General Cargo Dock Expansion Project Budget Bond Proceed Expenditures Report as of 08/06/01.
- 3) Accounts Receivable schedule as of August 15, 2001.

Mr. Hausmann reported to the Board Members that the accounts receivable was 100 percent current on all accounts at this time.

Agenda Item No. 4: Approval of Disbursements and Transfers: All Funds.

The Board reviewed the August 15, 2001 disbursements. After review of the disbursements, a motion was made by Board Member Randy L. Boyd, seconded by Board Member H. C. Wehmeyer, Jr., and motion carried unanimously that the operations account disbursements nos. 11879 through 12136 be approved.

A motion was made by Board Member Leo J. Kainer, seconded by Board Member Paul R. Blasingim, and motion carried unanimously to approve the following fund transfers:

CHECK NO.	FUND ACCOUNT	AMOUNT
<u>Gross Revenue Fund</u>		
1101	To Port Operations Account	\$5,780.01
1103	To Port Operations Account	45,321.95
1104	To Port Operations Account	5,146.84
1105	To Port Operations Account	44,260.20
Total		\$100,509.00
<u>Maintenance and Operations Fund</u>		
1088	To Port Operations Account	\$2,062.15
1090	To Port Operations Account	2,115.54
1091	To Port Operations Account	2,082.38

1092	To Port Operations Account	1,863.99
	<b>Total</b>	<b>8,124.06</b>
1036	<u>Business Development Fund</u> To Port Operations Account	\$2,944.23
	<b>Total</b>	<b>2,944.23</b>
1007	<u>Depreciation &amp; Major Repair Fund</u> To Port Operations Account	\$81,744.93
		<b>81,744.83</b>
1093	<u>Port Expansion Gross Revenue Fund</u> To Port Operations Account	\$16,194.74
1095	To Port Operations Account	17,680.65
1096	To Port Operations Account	15,339.95
1097	To Port Operations Account	116,814.01
	<b>Total</b>	<b>166,029.35</b>
1032	<u>AN/NH3 Operations Fund</u> To Port Operations Account	\$41,051.07
		<b>41,051.07</b>
	<b>TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT</b>	<b><u>\$400,402.54</u></b>

Interfund Transfers			
Date	From	To	Amount
08-02-01	An/NH3 Operating Fund	AN/NH3 MR/Depreciation Fund	\$ 7,500.00
	<b>Total Interfund Transfers</b>		<b><u>\$ 7,500.00</u></b>

A motion was made by Board Member H. C. Wehmeyer, Jr., seconded by Board Member Leo J. Kainer, and motion carried unanimously to approve Check No. 1049 for the Pipeline Right of Way Project Account.

A motion was made by Board Member Randy L. Boyd, seconded by Board Member H. C. Wehmeyer, Jr., and motion carried unanimously to approve Requisition No. 27 for the Bond Proceed through Trustee Bank Requisition Register.

Agenda Item No. 5: Port Director's Report.

Robert H. Van Borssum, Port Director, reported the following harbor traffic statistics for the month of July 2001.

BP/Amoco Cargoes:	8 Ships 11 Barges	84,005.2 Short Tons 12,124.1 Short Tons
Formosa Cargoes:	12 Ships 35 Barges	161,853.4 Short Tons 72,678.3 Short Tons
<b>Total</b>	<b>66 Vessel Movements</b>	<b><u>293,994.6 Short Tons.</u></b>

- b. That five of these barges were for the first inland transshipment to Du Pont/Victoria.
- c. Reported that 23 deep sea vessels has been scheduled thus far for the month of August.
- d. That the repairs to the Liquid Pier South berth are completed except for the electrical which has been scheduled for completion August 17<sup>th</sup> through August 20<sup>th</sup>, dependant upon ship traffic.
- e. Reported that the monopile on the North Berth is scheduled for installation in mid-September. The exact date has not yet been set.
- f. The Port Director distributed copies of the new Port Visitor's Guide. He stated that copies would be presented to port visitors and also be used as marketing tool.
- g. That the tentative dates to meet with U.S. senators and congressman in Washington D.C. would be September 19<sup>th</sup> and 20<sup>th</sup>. Further, that these dates would be confirmed next week. Board Members indicated their ability to participate.
- h. That the General Cargo Dock expansion was almost completed and could have the first vessel within a month.

Agenda Item No. 6: Review and Consideration of the adoption of a 2001 Ad Valorem Tax Levy for the Calhoun County Navigation District.

The Port Director presented information to the Board Members on the 2001 ad valorem tax levy for the Calhoun County Navigation District. The Port Director stated that the value of taxable improvements within the Navigation District's jurisdiction has increased by 3.09%. The 2000 tax rate adopted was .0049 per \$100 valuation. For 2001, the tax rate to generate the same amount of revenue would be .0047 per \$100 valuation.

Pursuant to further discussion among the Board Members, a motion was made by Board Member J. C. Melcher, Jr. that the Calhoun County Navigation District adopt the 2001 Tax Rate of .0047 per \$100 valuation. The motion was seconded by H. C. Wehmeyer, Jr., and motion carried unanimously.

Agenda Item No. 7: Review and Consideration of a Resolution appointing Robert H. Van Borssum as accredited delegate to the American Association of Port Authorities 2001 Convention and Roger G. Martinez as alternate and authorize Board Chairman to execute resolution.

The Board reviewed the Resolution that was required for the AAPA 2001 Convention. The Port Direction requested the Board's authorization to serve as the accredited delegate and that Board Chairman Roger G. Martinez be designated as alternate for the Calhoun County Navigation District at the 2001 AAPA Convention.

A motion was made by Board Member Leo J. Kainer, seconded by Board Member Randy L. Boyd, and motion carried unanimously that Port Director Robert H. Van Borssum be appointed as the accredited delegate to the American Association of Port Authorities 2001 Convention and that Board Chairman Roger G. Martinez be appointed as alternate and that the Board Chairman be authorized to execute the resolution.

**Copy of Resolution**

Agenda Item No. 8: Review and Consideration of specifications for Protective Coating Repair of Pipe Rack Structure and FY 2002 Budget Amendment for repair.

Mickey Sappington, Project Engineer, reported on the protective coating repair of the expansion area pipe rack structure. He reported that after further inspection of the pipe rack, the job produced a higher than expected cost estimate.

After further discussion, a motion was made by Board Member Randy L. Boyd, seconded by Board Member H. C. Wehmeyer, Jr., and motion carried unanimously to table the protective coating project so the project engineer could research other options for future Board review.

Agenda Item No. 9: Review Report from Consulting Engineer of 2001 Dredging Project Status.

Board Chairman Roger G. Martinez presented the first check to Tim and Linda LaQuay, owners of T.W. LaQuay Dredging, Inc. for the 2001 dredging project. He thanked them for the quality of work their company was providing on the 2001 Dredging Project.

Mickey Sappington, Project Engineer, of G & W Engineers, Inc. presented an update on the 2001 Dredging Project that was awarded to T. W LaQuay Dredging, Inc. He reported that the project was almost completed except for the 7,800 cubic yards of the multi-purpose dock. Dredging ceased due to water level in the deposal area. He

recommended that further time be allowed for excess water to drain from the containment area before the final material would be dredged.

Tim and Linda LaQuay thanked the Navigation District Board Members and staff for giving their company the opportunity to work on this, their first project.

Agenda Item No. 10:

Board Chairman Roger G. Martinez, announced at 9:26 a.m. that pursuant to the provisions of Chapter 551 of the Texas Open Meetings Act the Board would convene in closed meeting as authorized by TEX. GOV'T Code § 551.071 for purposes of conferring with the Board's legal counsel where the Board seeks the attorney's advice on matters that are protected by the attorney/client privilege, and for purposes of discussing the following pending litigation:

S.Ct. No. 00-1208; Cause No. 13-99-346-CV; Tr. Ct. No. 98-6-1308B,  
Wayne Henderson; et al v. Calhoun County Navigation District.

Agenda Item No. 11: Return to open session and take any actions deemed necessary based upon discussions in closed meeting.

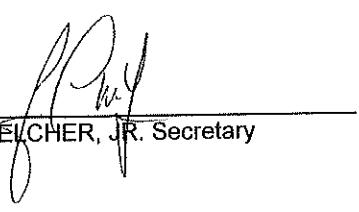
Board Chairman Roger G. Martinez reconvened the open session at approximately 9:41 a.m. He announced that "No action was taken in closed session."

Agenda Item No. 12: Adjourn.

There being no further business to be brought before the Board, a motion was duly made and seconded that the meeting be declared adjourned at 9:42 a.m.



ROGER G. MARTINEZ, Chairman



J. C. MELCHER, JR. Secretary

CALHOUN COUNTY NAVIGATION DISTRICT  
REGULAR MEETING  
SEPTEMBER 12, 2001

The regular meeting of the Calhoun County Navigation District was held on Wednesday, September 12, 2001, at 9:00 a.m. in the Calhoun County Navigation District Board Room, Calhoun County Navigation District Office, Point Comfort, Texas.

Board Members attending were:

Commissioner # 1 – Randy L. Boyd  
Commissioner # 2 – Leo J. Kainer  
Commissioner # 3 – J. C. Melcher, Jr.  
Commissioner # 4 – Paul Blasingim  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Robert H. Van Borssum - Port Director  
Charles Hausmann – Assistant to Port Director  
Wanda Roberts – Port General Counsel  
Ellen Buchanan – Secretary to Port Director

Also present were:

Mickey Sappington – G & W Engineers, Inc.  
Larry Robinson – Matagorda Bay Pilot  
Forrest Webster – Texas Liquid Fertilizer  
Steve Bales – Port Lavaca Wave  
Glen Ely – Forest Glen Production, Inc.

Agenda Item No. 1: Call to Order:

Board Chairman Roger Martinez called the Regular Meeting to order at approximately 9:00 a.m. He announced that the agenda of this meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

Pledge of Allegiance

The Port Director introduced Mr. Glenn Ely of Forest Glen Production, Inc., who is making a promotional video of the port. He has begun the initial work today.

Agenda Item No. 2: Approve the minutes of the August 15, 2001 Regular Meeting and the August 21, 2001 Special Meeting.

The minutes of the August 15, 2001 Regular Meeting and August 21, 2001 Special Meeting were presented to the Board. A motion was made by Board Member H. C. Wehmeyer, Jr. to approve the minutes of the August 15, 2001 Regular Meeting and the August 21, 2001 Special Meeting as presented. The motion was seconded by Board Member Leo J. Kainer, and the motion carried unanimously.

Agenda Item No. 3: Review of Financial Report: All Funds.

Mr. Charles Hausmann presented the following financial information to the Board

**Members for Review:**

- 1) August 31, 2001 Fund Balance Report.
- 2) General Cargo Dock Expansion Project Budget Bond Proceeds Expenditure Report as of 08/31/01.
- 3) Accounts Receivable schedule as of September 11, 2001.

Mr. Hausmann reported to the Board Members that the accounts receivable was 100 percent current on all accounts at this time.

Agenda Item No. 4: Approval of Disbursements and Transfers: All Funds.

The Board reviewed the September 11, 2001 disbursements. The Port Director stated that check no. 12217 was to T.W. LaQuay for the 2001 Dredging Contract for dredging activities through August 30, 2001. After review of the disbursements, a motion was made by Board Member Randy L. Boyd, seconded by Board Member H. C. Wehmeyer, Jr., and motion carried unanimously that the Port Operations account disbursements nos. 12137 through 12260 be approved.

A motion was made by Board Member Leo J. Kainer, seconded by Board Member Randy L. Boyd, and motion carried unanimously to approve the following fund transfers:

<u>CHECK NO.</u>	<u>FUND ACCOUNT</u>	<u>AMOUNT</u>
<u>Gross Revenue Fund</u>		
1106	To Port Operations Account	\$4,947.36
1107	To Port Operations Account	5,100.73
1108	To Port Operations Account	35,799.88
1105	To Port Operations Account	44,260.20
Total		\$45,847.97
<u>Maintenance and Operations Fund</u>		
1093	To Port Operations Account	\$2,241.11
1094		2,139.26
1095	To Port Operations Account	1,877.69
Total		6,258.06
<u>Business Development Fund</u>		
1037	To Port Operations Account	\$1,144.15
Total		1,144.15
<u>Depreciation &amp; Major Repair Fund</u>		

1008	To Port Operations Account	\$159,748.01
		-----
1098	<u>Port Expansion Gross Revenue Fund</u>	159,748.01
1098	To Port Operations Account	\$14,840.83
1099	To Port Operations Account	14,767.34
1100	To Port Operations Account	67,981.93
		-----
	Total	97,490.10
1033	<u>AN/NH3 Operations Fund</u>	
1033	To Port Operations Account	\$32,438.15
		-----
		32,438.15
		-----
	TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT	<u>\$343,026.44</u>

Interfund Transfers			
Date	From	To	Amount
09-05-01	An/NH3 Operating Fund	AN/NH3 MR/Depreciation Fund	\$ 7,500.00
09-12-01	Gross Revenue Fund	Pipeline Right of Way Fund	5,000.00
			<u>\$12,500.00</u>
Total Interfund Transfers			<u>\$12,500.00</u>

A motion was made by Board Member H. C. Wehmeyer, Jr., seconded by Board Member Leo J. Kainer, and motion carried unanimously to approve Check No. 1050 for the Pipeline Right of Way Project Account.

A motion was made by Board Member Randy L. Boyd, seconded by Board Member Leo J. Kainer, and motion carried unanimously to approve Requisition No. 28 for the Bond Proceeds through the Trustee Bank Requisition Register transaction.

Agenda Item No. 5: Port Director's Report.

Robert H. Van Borssum, Port Director, reported the following harbor traffic statistics for the month of August 2001:

BP/Amoco Cargoes:	9 Ships 7 Barges	94,426.0 Short Tons 15,419.9 Short Tons
Formosa Cargoes:	14 Ships 28 Barges	209,854.4 Short Tons 57,002.0 Short Tons
Texas Liquid Fertilizer:	2 Ships 1 Barge	14,083.6 Short Tons 1,849.7 Short Tons
<u>Total</u>	<u>63 Vessel Movements</u>	<u>392,635.6 Short Tons.</u>

- b. Reported that 17 deep-sea vessels have been scheduled through September 18th, 2001 thus far.
- c. Reported that the September ship schedule reflected the closure of the liquid pier berths for the week of September 17<sup>th</sup> through September 20<sup>th</sup>. This closure was for

the installation of the monopile on the liquid pier north pier, completion of the electrical repair on the south berth and containment resurfacing of the liquid pier north also. The General Cargo Dock will go into operation today with the arrival of the M/T Prospector II and the O.G.B. Hugh scheduled for arrival on September 16<sup>th</sup>.

d. That because of the Board Members attending the AAPA Convention, the October Meeting would be rescheduled for Wednesday, October 17<sup>th</sup> at 9:00 a.m.

e. Regarding heightened security that the Coast Guard has been on active patrol since September 12<sup>th</sup> and that additional port security had been required.

Agenda Item No. 6: Receive Report from Project Engineer Re: 2001 Dredging Project.

Mickey Sappington, Project Engineer, presented a report on the 2001 Dredging Project. He reported the deep draft area dredging had been completed. The contractor was due to finish the project and that the Project Engineer had requested that the dredging contractor return the later part of November 2001 to complete the dredging.

Agenda Item No. 7: Receive Report from Project Engineer Re: Protective Coating Repair of Piperack Structure.

The Board received a report from Mickey Sappington, Project Engineer, on the repair of the protective coating on the piperack structure. He reported that, with the assistance of a carboline company representative two systems allowing differing levels of coating protection were analyzed. System 01 consisted of spot repair of corroded areas and overcoat of areas where reddish primer had become exposed. The estimated re-coat life cycle was 5 years. System 02 would address the current corrosion problem by performing spot repairs with the addition of a full urethane topcoat, yielding an estimated re-coat cycle of 10-15 years. Cost to perform System 01 would be less than \$25,000, and the cost to perform System 02 was estimated to exceed \$200,000.

After further discussion, a motion was made by Board Member Paul R. Blasingim to authorize System 01 to spot repair and select re-coat which would take approximately 30-45 days to complete and would be performed before cooler weather conditions were experienced. The cost to perform System 01 would be approximately \$25,000. Motion was seconded by Board Member Leo J. Kainer, and motion carried unanimously.

Agenda Item No. 8: Review and Consideration of the approval of FY 2002 Budget Amendments.

The Port Director presented Fiscal Year 2002 Budget Amendments for the maintenance, repair and additions to structure and terminal facilities:

After review of the FY 2002 Budget Amendments, a motion was made by Board Member Leo J. Kainer, seconded by Board Member Randy L. Boyd, and motion carried unanimously to approve the following budget amendments:

- 1) Containment Area Surface Maintenance: Original amount 0, increase to \$25,000.00.
- 2) Pipe Rack – Repair: Original amount 0, increase to \$25,000.00.
- 3) LPN Monopile: Original \$125,000.00, decrease to \$107,700.00.
- 4) GCD Improvements/Fence/Gate: Original \$115,000.00 decrease to \$65,000.00

Agenda Item No. 9: Review and Consideration of the approval of a Resolution authorizing the Publication of Notice of Intention to Lease a 3.0 acre tract of land located at the Port of Port Lavaca/Point Comfort harbor area in Calhoun County, Texas for the construction and operation of a multimodal liquid fertilizer distribution facility pursuant to Section 60.40 of the Texas Water Code.

The Port Director reported that Abell Corporation desired to progress on the liquid fertilizer distribution facility through a traditional land lease transaction. Pursuant to authorization by the Board, Notice of Intent would be published in the local newspaper twice. The lease proposals would be received and reviewed at a special meeting to be held on Wednesday, September 26<sup>th</sup>, 2001 at noon.

Pursuant to action, a discussion ensued concerning the form and tenure of the lease with Abell Corporation among the Board Members and Port General Counsel. A motion was made by Board Member J. C. Melcher, Jr. to approve the Resolution of the Calhoun County Board of Navigation and Canal Commissioners as prepared, to publish Notice of Intention to lease the 3.0 acre tract as presented, and to amend (see attachment) the Specifications for Multimodal Liquid Fertilizer Distribution Facility, and authorize the Port Director and Port General Counsel to prepare a lease in a form acceptable to the Calhoun County Navigation District. The motion was seconded by Board Member Leo J. Kainer and motion carried unanimously.

Copy of Resolution  
Notice of Intention to Lease  
Specifications Multimodal Liquid Fertilizer Distribution Facility

Agenda Item No. 10: Review and Consideration of the approval of an Amendment to the Project Cooperation Agreement for the "Indianola Magnolia Beach Shoreline Stabilization Project.

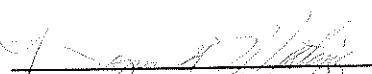
The Port Director reported that he was notified on September 5<sup>th</sup> that the TGLO staff was forwarding an amendment to the Project Cooperation Agreement between the TGLO, County, and Navigation District. He stated that the next phase of this project would be for the Project Engineer to prepare the final design specifications for this project and prepare all documents to enable this project to be advertised for bids.

A motion was made by Board Member Randy L. Boyd, seconded by Board Member Paul R. Blasingim, and motion carried unanimously to approve the Amendment to the Project Cooperation Agreement for the "Indianola Magnolia Beach Shoreline Stabilization Project.

Copy of Agreement

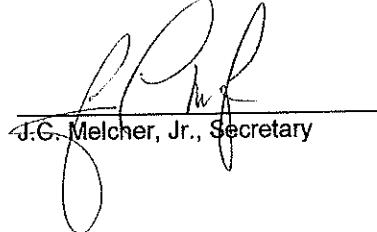
Agenda Item No. 11: Adjourn.

There being no further business to be brought before the Board, a motion was duly made and seconded that the meeting be declared adjourned at 9:50 a.m.



Roger G. Martinez, Chairman

Attest:



J.G. Melcher, Jr., Secretary

CALHOUN COUNTY NAVIGATION DISTRICT  
REGULAR MEETING  
November 14, 2001

The regular meeting of the Calhoun County Navigation District was held on Wednesday, November 14, 2001, at 9:00 a.m. in the Calhoun County Navigation District Board Room, Calhoun County Navigation District Office, Point Comfort, Texas.

Board Members attending were:

Commissioner # 1 – Randy L. Boyd  
Commissioner # 2 – Leo J. Kainer  
Commissioner # 3 – J. C. Melcher, Jr.  
Commissioner # 4 – Paul Blasingim  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Robert H. Van Borssum, Port Director  
Charles Hausmann, Assistant to Port Director  
Laurie Lowman, Port Secretary  
Sandy Witte, Associate Port General Counsel

Other Parties present were:

Mickey Sappington, G & W Engineers, Inc.  
Larry Robinson, Matagorda Bay Pilots  
Forrest Webster, Texas Liquid Fertilizer  
Steve Bales, Port Lavaca Wave  
Joe Sarna, BP Chemical  
Dale Schoener, BP Chemical  
Danny May, Project Engineer, Alcoa  
John Ramos, Alcoa  
Allen Cransberg, Alcoa  
And other interested parties

Agenda Item No. 1: Call to Order:

Board Chairman Roger G. Martinez called the Regular Meeting to order at approximately 9:00 a.m. He announced that the agenda of this meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

Pledge of Allegiance was led by Board Chairman Roger G. Martinez.

Agenda Item No. 2: Approve the minutes of the October 17, 2001 Regular Meeting.

The minutes of the October 17, 2001 Regular were presented to the Board. A motion was made by Board Member Randy L. Boyd to approve the minutes of the October 17, 2001 Regular Meeting as presented. Board Member H. C. Wehmeyer, Jr. seconded the motion, and the motion carried unanimously.

Agenda Item No. 3: Review of Financial Report: All Funds.

Mr. Charles Hausmann, Assistant to the Port Director, presented the following financial information to the Board Members for Review:

- 1) Fund Balance Report as of October 31, 2001
- 2) General Cargo Dock Expansion Project Budget Bond Proceed Expenditure Report as of October 31, 2001.
- 3) Accounts Receivable Aging Report as of October 31, 2001
- 4) Fund Investments Report for Fiscal Year 2002, First Quarter.

Mr. Hausmann reported to the Board Members that the accounts receivable aging report indicates that the accounts receivable were 98.39% current as of October 31, 2001. Board Member Leo J. Kainer inquired about the tardiness of payments by some users. Mr. Hausmann expressed that the past due balances were isolated to one specific user.

Agenda Item No. 4: Approval of Disbursements and Transfers: All Funds.

The Board reviewed the November 14, 2001 disbursements. No discussion occurred. Upon completion of review of the check register, a motion was made by Board Member Randy L. Boyd to approve the disbursements as presented. The motion was seconded by Board Member H. C. Wehmeyer, Jr., and motion carried unanimously that the Port Operations account disbursements nos. 12312 through 12551 be approved.

A motion was made by Board Member Paul R. Blasingim to approve the fund transfers as presented. The motion was seconded by Board Member Leo J. Kainer, and motion carried unanimously to approve the following fund transfers:

CHECK NO.	FUND ACCOUNT	AMOUNT
<b>Gross Revenue Fund</b>		
1111	To Port Operations Account	\$5,028.57
1113	To Port Operations Account	5,541.61
1114	To Port Operations Account	42,843.02
	Total	\$53,413.20
<b>Maintenance &amp; Operations Fund</b>		
1098	To Port Operations Account	\$2,046.99
1100	To Port Operations Account	2,107.53
1101	To Port Operations Account	4,353.05
	Total	\$8,507.57
<b>Business Development Fund</b>		
1039	To Port Operations Account	\$2,881.82
	Total	\$2,881.82
<b>Depreciation &amp; Major Repair Fund</b>		
1010	To Port Operations Account	\$178,207.25
	Total	\$178,207.25
<b>Port Expansion Gross Revenue Fund</b>		
1103	To Port Operations Account	\$15,086.01

1102	To Port Operations Account	15,023.57
1106	To Port Operations Account	<u>140,850.36</u>
	Total	\$170,959.94

**AN/NH3 Operating Fund**

1037	To Port Operations Account	<u>\$32,093.27</u>
	Total	<u>\$32,093.27</u>
	<b>Total Transfers to Port Operations Account</b>	<u><b>\$446,063.05</b></u>

**INTERFUND TRANSFERS**

DATE	FROM	TO	AMOUNT
09-05-01	AN/NH3 Operation Fund	AN/NH3 MR/Depr. Fund	<u>\$ 7,500.00</u>
		<b>Total Interfund Transfers</b>	<u><b>\$12,500.00</b></u>

A motion was made by Board Member Leo J. Kainer, seconded by Board Member H. C. Wehmeyer, Jr., and motion carried unanimously to approve Requisition No. 30, for the Bond Proceeds through the Trustee Bank Requisition Register, in the amount of \$202,970.44.

**Agenda Item No. 5: Port Director's Report.**

Robert H. Van Borssum, Port Director, reported the following harbor traffic statistics for the month of October 2001:

- a)        66 Vessel Movements  
19 Deep Sea Arrivals  
47 Inland Barges

375,927.00 Total Short tons for the month of October 2001

- b)        Reported that the amendment to the Project Cooperation Agreement (PCA) for the Indianola-Magnolia Beach Shoreline Erosion Stabilization Project had not been received from the Texas General Land Office as of the November 14, 2001 Board meeting. Further that the Coastal Project Division Director, Mr. Eddie Fisher, had advised the Port Director that the amended Project Cooperation Agreement would be received on or before the Thanksgiving holidays.

**Agenda Item No. 6: Review and Consideration of Change Order No. 1, Final Payment and release of Retainage to T.W. LaQuay Dredging, Inc., in the total amount of \$175,163.00 for completion of the 2001 Dredging Project.**

The Port Director advised the Board members that he had been notified by Mr. Mickey Sappington, of G & W Engineers, Inc., that the dredging project had been completed. Mr. Sappington reported to the Board members on the progress and completion

of the project. Mr. Sappington reported that the contractor did an excellent job and all test samples came back clean.

A motion was made by Board Member H.C. Wehmeyer, Jr. to approve change order no. 1, the final payment and release of retainage to LaQuay Dredging, Inc. in the total amount of \$175,163.00. The motion was seconded by Board Member Paul R. Blasingim, and the motion carried unanimously.

**Agenda Item No. 7: Review and Consideration of Fiscal Year 2002 Budget**

**Amendments.**

The Port Director presented to the Board Members requested amendments to the Fiscal Year 2002 Budget as follows:

1) **Non-Operating Revenues:**

Increase amount by \$37,500 for land lease revenue from Texas Liquid Fertilizer 1/01/02 through 6/30/02. Reduce amount of recovery of damages to port facilities from \$33,477 to \$29,976.50.

2) **Non-Operating Expenditures:**

Increase amount for capital credit to Formosa Plastics Corporation, for Fiscal Year 2001, in the amount of \$169,801.34.

3) **Operating Expenditures:**

a) **M & R Terminals & Facilities:**

Increase amount of \$208,738 for: surveillance camera system repair and upgrading (\$25,000), 2001 Dredging Project (\$175,163), and cathodic protection system survey and repair (\$8,575).

b) **Vehicle & Equipment Purchases:**

Deletion of the purchase of one diesel powered utility vehicle with cab (\$11,300) and addition of the purchase of one JD diesel yard tractor and mower (\$9,275).

Board Secretary J.C. Melcher Jr., inquired if any of the surveillance camera expenditures would be eligible for a federal reimbursement. The Port Director reported that the surveillance camera system repairs and upgrading were eligible for federal reimbursement under the proposed port security legislation and that all expenses were being identified and recorded for this purpose. Board Member Randy L. Boyd inquired if policies and procedures had been adopted yet by the federal government concerning reimbursement of

specific expenditures for Port premises security improvements. The Port Director informed Board Members that no procedures were in place at this time but were anticipated in the near future.

A motion was made by Board Member Paul R. Blasingim to approve the FY 2002 budget amendments as recommended. The motion was seconded by Board Member Randy L. Boyd, and the motion carried unanimously.

**Agenda Item No. 8: Review and Consideration of request of BP Chemicals to disburse \$120,000.00 from the AN/NH3 Reserve Fund for upgrade of NH3 flare system at AN/NH3 tank farm.**

The Port Director reported to the Board Members that BP Chemicals has requested to utilize \$120,000 from the AN/NH3 Reserve Fund for an upgrade to the NH3 flare system. Further that this request was an intended and designed utilization of the reserve fund when the principal balance exceeded \$300,000. The current balance of the reserve fund was \$440,570.08 and no withdrawals had been made since its inception and all interest had accrued to the fund balance. BP Chemical proposed to continue to add to the principal over the next four fiscal years through a 6.67 cents per short ton per month to the NH3 storage fee. Mr. Joe Sarna of BP Chemicals was present to answer any questions concerning the flare upgrade project the Board Members might have. A discussion ensued.

Upon completion of the discussion a motion was made by Board Member Paul R. Blasingim to approve this request and expenditures requested. The motion was seconded by Board Member Randy L. Boyd, and the motion carried unanimously.

**Agenda Item No. 9: Review and Consideration of Proposed Easement Agreement between Central Power & Light Co., and the Calhoun County Navigation District for a 226.1 rod overhead power line across Lavaca Bay.**

The Port Director reported to the Board Members that the current easement agreements between the Calhoun County Navigation District and Central Power and Light Co. (CPL) expire in November, 2001. The current agreements with CP&L consisted of two separate easements for electrical transmission lines in Lavaca Bay. Further that CP&L had moved the 69KV overhead line and removed the timber pilings from Lavaca Bay on the 69KV easement. As a result of CP&L moving the 69KV overhead line only one easement was now required.

Board Member Randy L. Boyd inquired if an inspection had been completed to verify that the removal of timber pilings was performed according to compliance regulations. The Port Director advised that he would investigate the matter further with CP&L and report back to the Board.

Pursuant to review and discussion on the Proposed Easement Agreement with Port General Counsel, a motion was made by Board Member Randy L. Boyd to approve the Proposed Easement Agreement with Central Power & Light Co. as prepared by Port General Counsel. The motion was seconded by Board Member Leo J. Kainer, and the motion carried unanimously.

**Agenda Item No. 10: Review and Consideration of Proposed Easement and Contract Agreements and/or other documents between Alcoa World Alumina LLC and the Calhoun County Navigation District for access to the Conveyor Dock.**

The Board Members received a request from Mr. John Ramos of Alcoa Chemicals Division for an easement to the Navigation District's Conveyor Dock. Mr. Ramos reported to the Board Members that Alcoa desires a two foot easement for the installation of a six inch overhead stainless steel pipeline for the transfer of sulfuric acid from barge to an existing storage tank site on the Alcoa chemical plant premises. He further reported that the anticipated volume of sulfuric acid transferred through this system would be 100,000 short tons per year, which is used in the production of aluminum fluoride. The estimated construction cost of the pipeline, piperack, and loading arm was one million dollars. A discussion ensued among the Board Members and Mr. Ramos on the future production rate of the chemical plant and proposed construction plans.

Upon the conclusion of this discussion, a motion was made by Board Secretary J.C. Melcher, Jr. to table the request for an easement until after the closed session posted for the meeting. The motion was seconded by Board Member H.C. Wehmeyer, Jr., and motion carried unanimously.

**Agenda Item No. 11: Closed Session. As authorized by Tex. Gov't Code 551.072 for the purpose of discussion with the respect to the purchase, exchange, lease or value of real property between the Calhoun County Navigation District and Alcoa.**

Board Chairman Roger G. Martinez announced that pursuant to the provisions of Chapter 551.072 of the Texas Open Meetings Act the Board would convene in closed

session as authorized by section number 551.072 for the purpose of discussion with respect to the purchase, exchange, lease or value of real estate between the Calhoun County Navigation District and Alcoa. Further that no action would be taken in closed session.

The Board convened in closed session at 9:50 a.m.

**Agenda Item No. 12: Return to open session and take any action deemed necessary based upon discussion in closed meeting.**

The Board reconvened in open session at 11:05 a.m. Board Chairman Roger G. Martinez stated no action was taken in closed session.

Board Member Randy L. Boyd made a motion to authorize the Port Director and Port General Counsel to negotiate the proposed easement agreement, contract agreements and/or other documents between Alcoa and the Calhoun County Navigation District for access to the conveyor dock as addressed in agenda item number ten. Board Member Leo J. Kainer seconded the motion. The motion passed with Board Secretary J.C. Melcher, Jr. voting no.

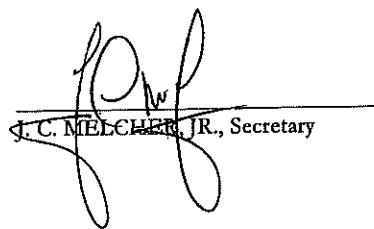
**Agenda Item No. 13: Adjourn.**

There being no further business to be brought before the Board, a motion was duly made and seconded that the meeting be declared adjourned at approximately 11:09 a.m.



ROGER G. MARTINEZ, Chairman

ATTEST:



J. C. MELCHER, JR., Secretary

**THE PORT of  
Port Lavaca - Point Comfort**

Calhoun County Navigation District  
P.O. Box 397 • FM 1593 South • Point Comfort, Texas 77978  
(361) 987-2813 • Fax (361) 987-2189 • E-Mail: port@lisd.net • Visit our website at www.portofplpc.com

PORT OPERATIONS AC INT

**IBC**  
International Bank  
of Commerce  
PORT LAVACA BRANCH (361) 652-9771

CHECK 12012217

\*\* One Hundred Forty Six Thousand Four Hundred Ninety Six, and 80/100 Dollars  
PAY

TO THE  
ORDER OF

88-502  
1131

DATE 09/07/2001 AMOUNT \*\*\*\*\*\$146,496.80

T.W. LAQUAY DREDGING, INC.  
P.O. BOX 24  
PORT LAVACA, TX 77979

AUTHORIZED SIGNATURE  
**NON-NEGOTIABLE**

AUTHORIZED SIGNATURE

12012217# 1213105025# 31005840#01

CALHOUN COUNTY NAVIGATION DISTRICT

Invoice #	Type	Date	Description	Total Amount	Discount
INVOICE	Inv	08/30/2001	Invoice	\$146,496.80	\$0.00

Remittance for:	Totals:	\$146,496.80	\$0.00
T.W. LAQUAY DREDGING, INC.			
Date: 09/07/2001	Check Amount:	\$146,496.80	

CALIF JN COUNTY NAVIGATION DISTRICT  
PORT OPERATIONS ACCOUNT CHECK VOUCHER

BUDGET ACCOUNT: 5460-40195 Maintain/Repair Buildings & Facilities - Depr/MR

CHECK AMOUNT: \$146,496.80  
=====

PAID TO: T.W. LaQuay Dredging, Inc. FOR: 2002 Dredging Project

VOUCHER PREPARED BY: BB APPROVED BY: CRT

FUND ALLOCATION:

GROSS REVENUE:

MAINT. & OPERATIONS:

PORT EXP. GROSS REV. \$146,496.80

BUSINESS DEVELOP.:

AN/NH3 OPERATING:

OTHER:

\$146,496.80  
=====

POSTED

# G & W ENGINEERS, INC.

205 W. Live Oak   Port Lavaca, Texas 77979   (361) 552-4509   Fax (361) 552-4987

September 4, 2001

Calhoun County Navigation District  
P.O. Box 397  
Point Comfort, Texas 77978

Attention: Mr. Robert H. Van Borssum

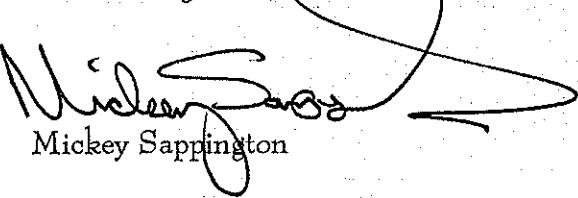
**RE: RECOMMENDATION FOR PAYMENT NO. 2  
2001 Dredging Project  
Port of Port Lavaca-Point Comfort, Calhoun County, Texas**

Dear Mr. Van Borssum:

We have reviewed T.W. LaQuay Dredging Inc.'s invoice dated August 30, 2001 and have enclosed a Recommendation for Payment No. 2 for the amount of \$146,496.80.

If you have any questions, please advise.

Sincerely,  
G & W Engineers, Inc.

  
Mickey Sappington

cc: T.W. LaQuay Dredging, Inc.  
File 9171.177/recpayno2.lt1

No. ..... 2.....

## RECOMMENDATION OF PAYMENT

OWNER's Project No. N/A..... ENGINEER's Project No. 9171.177.....

Project 2001 DREDGING PROJECT.....

CONTRACTOR T.W. LAQUAY DREDGING, INC......

Contract For 2001 Dredging Project..... Contract Date July 9, 2001.....

Application Date August 30, 2001..... Application Amount \$ 146,496.80.....

For Period Ending August 30, 2001.....

To CALHOUN COUNTY NAVIGATION DISTRICT  
OWNER

Attached hereto is the CONTRACTOR's Application for Payment for Work accomplished under the Contract through the date indicated above. The Application meets the requirements of the Contract Documents and includes the CONTRACTOR's Certificate stating that all previous payments to him under the Contract have been applied by him to discharge in full all of his obligations in connection with the Work covered by all prior Applications for Payments.

In accordance with the Contract the undersigned recommends payment to the CONTRACTOR of the amount due as shown below.

G & W Engineers, Inc.  
ENGINEER

Dated 9-4, 2001  
By Mickey Sappington  
Mickey Sappington

### STATEMENT OF WORK

Original Contract Price	\$ <u>248,600.00</u>	Work to Date	\$ <u>221,480.00</u>
Net Change Orders ( )	\$ <u>-0-</u>	Amount Retained	\$ <u>22,148.00</u>
Current Contract Price	\$ <u>248,600.00</u>	Subtotal	\$ <u>199,332.00</u>
Work to be Done	\$ <u>27,120.00</u>	Previous Payments Recommended	\$ <u>76,885.20</u>
		Sub Total	\$ <u>122,446.80</u>
		37 Hrs. Standby Time @ \$650.00	\$ <u>24,050.00</u>
		Amount Due This Payment	\$ <u>146,496.80</u>



August 30, 2001

Calhoun County Navigation District  
P. O. Box 397  
Point Comfort, Texas 77978

Re: 2001 Dredging Contract.

Dear Sirs:

In reference to the above contract, this letter will serve as our second request for payment for the dredging activities through August 30, 2001.

Completion of Deep Draft Areas (priority 1)	
49,000 CY @ \$4.52 per cy	\$ 221,480.00
Less 10% retainage	- \$ 22,148.00
Less previous Payment #1	- \$ 76,885.20
Standby time: 37:00 @ \$650.00 per hr.	\$ 24,050.00
TOTAL THIS INVOICE \$ 146,496.80	

Please process for payment. If you have any questions, do not fail to contact us.

Yours truly,

T. W. LAQUAY DREDGING, INC.

T. W. LaQuay  
President

TWL:ll

T. W. LAQUAY DREDGING, INC.

619 Bayview Drive • P.O. Box 24 • Port Lavaca, Texas 77979 • 361-552-2010 • Fax 361-552-1960

**Tim LaQuay, 09:31 AM 8/30/01 -0500, CCND Dredge Qty. Invoice #2**

---

To: Tim LaQuay  
From: Mickey Sappington <mickeys@gwengineers.com>  
Subject: CCND Dredge Qty. Invoice #2  
Cc: Robert H. Van Borssum  
Bcc:  
Attached:

Linda / Tim,  
According to my records your second request for payment should be as follows:  
Completion of Deep Draft Areas (Priority 1) 49,000 cy's @ \$4.52 = \$221,480.00  
Less 10% Retention in the amount of 22,148.00  
Less Previous Payment #1 76,885.20  
Subtotal Amount \$122,446.80  
Stand-by time as directed by owner to date 37.0 hrs @ \$650.00 = 24,050.00  
**Total Amount Due This Invoice \$146,496.80**

Deep Draft Area includes 7000 cy's of estimated shoal material from Nov. 00 to Mar. 01 for the Priority 1 material removed.

If you agree with my records, please forward your next invoice to my attention for processing. Should you have any questions or comments, do not hesitate to call.

Thanks,  
Mickey

# THE PORT of Port Lavaca - Point Comfort

Calhoun County Navigation District  
PO. Box 397 • FM 1593 South • Point Comfort, Texas 77978  
(361) 987-2813 • Fax (361) 987-2189 • E-Mail: port@llsd.net • Visit our website at www.portofplpc.com

PORT OPERATIONS AC INT

**IBC**  
International Bank  
of Commerce  
PORT LAVACA BRANCH (361) 582-9771

CHECK

012499

88-502  
1131

\*\* One Hundred Seventy Five Thousand One Hundred Sixty Three and 00/100

PAY

TO THE  
ORDER OF

T.W. LAQUAY DREDGING, INC.  
P.O. BOX 24  
PORT LAVACA, TX 77979

AUTHORIZED SIGNATURE  
**NON-NEGOTIABLE**

AUTHORIZED SIGNATURE

INVOICE # 2499 DATE 11/31/2001 DESCRIPTION 2001 DREDGING CONTR

CALHOUN COUNTY NAVIGATION DISTRICT

Invoice #	Type	Date	Description	Total Amount	Discount
INVOICE		11/31/2001	2001 DREDGING CONTR	\$175,163.00	\$0.00

CHECK

012499

Remittance for:	Totals:	\$175,163.00	\$0.00
T.W. LAQUAY DREDGING, INC.			
Date: 11/09/2001	Check Amount:		\$175,163.00

WALHOUN COUNTY NAVIGATION DISTRICT  
PORT OPERATIONS ACCOUNT CHECK VOUCHER

BUDGET ACCOUNT: 5460-40195 Maintain/Repair Buildings & Facilities - Depr/ MR

CHECK AMOUNT: \$175,163.00  
=====

PAID TO: T. W. LaQuay Dredging, Inc. FOR: 2001 Dredging Project

VOUCHER PREPARED BY: BB

APPROVED BY: CP/H

FUND ALLOCATION:

GROSS REVENUE:	
MAINT. & OPERATIONS:	
PORT EXP. GROSS REV.	
BUSINESS DEVELOP.:	
AN/NH3 OPERATING:	
OTHER:	\$175,163.00
	-----
	\$175,163.00
	=====

POSTED



October 31, 2001

Calhoun County Navigation District  
P. O. Box 397  
Point Comfort, Texas 77978

Re: 2001 Dredging Contract.

Dear Sirs:

In reference to the above contract, this letter will serve as our third and final request for payment for the dredging activities through October 31, 2001. Enclosed you will also find our executed Contractor's Affidavit and Waiver of Lien to complete this contract. Our pay estimate is as follows:

Completion of dredging Multi-Purpose Dock	
22,000 CY @ \$4.52 per cy	\$ 99,440.00
Remobilization Charge	\$ 50,000.00
Standby, 5.5 hrs. @ \$650.00 per hr.	\$ 3,575.00
Previously withheld retainage	\$ 22,148.00
TOTAL THIS INVOICE	\$ 175,163.00

Please process for payment. If you have any questions, do not fail to contact us. Thank you for allowing T. W. LaQuay Dredging, Inc. to do your 2001 maintenance dredging project.

Yours truly,

T. W. LAQUAY DREDGING, INC.

*Linda J. LaQuay*  
for T. W. LaQuay  
President

TWL:ll

T. W. LAQUAY DREDGING, INC.

619 BAYVIEW DRIVE • P.O. Box 24 • PORT LAVACA, TEXAS 77979 • 361-552-2010 • Fax 361-552-1960



ENGINEERS, INC.

---

205 W. Live Oak      Port Lavaca, Texas 77979      (361) 552-4509      Fax (361) 552-4987

October 31, 2001

Calhoun County Navigation District  
P.O. Box 397  
Point Comfort, Texas 77978

Attention: Mr. Robert H. Van Borssum

RE: RECOMMENDATION FOR PAYMENT NO. 3-Final &  
CHANGE ORDER NO. 1  
2001 Dredging Project  
Port of Port Lavaca-Point Comfort, Calhoun County, Texas

Dear Mr. Van Borssum:

We have reviewed T.W. LaQuay Dredging Inc.'s Payment Request dated October 31, 2001 and all work is complete. Enclosed is Recommendation for Payment No. 3-Final for the amount of \$175,163.00 along with the Contractor's Affidavit and Waiver of Lien. This Recommendation is based upon your approving the attached Change Order No. 1 recommended by our firm. There are three (3) copies of Change Order No.1 enclosed for your review, if satisfactory, please sign them all and return two (2) to our office.

If you have any questions, please advise.

Sincerely,  
G & W Engineers, Inc.

Mickey Sappington

cc: T.W. LaQuay Dredging, Inc.  
File 9171.177/recpayno3.lt1

No. 3-Final

## RECOMMENDATION OF PAYMENT

OWNER's Project No. N/A

ENGINEER's Project No. 9171.177

Project 2001 DREDGING PROJECT

CONTRACTOR T.W. LAQUAY DREDGING, INC.

Contract For 2001 Dredging Project Contract Date July 9, 2001

Application Date October 31, 2001 Application Amount \$ 175,163.00

For Period Ending October 31, 2001

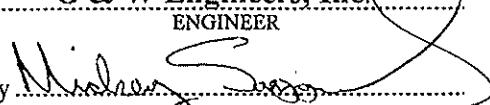
To CALHOUN COUNTY NAVIGATION DISTRICT  
OWNER

Attached hereto is the CONTRACTOR's Application for Payment for Work accomplished under the Contract through the date indicated above. The Application meets the requirements of the Contract Documents and includes the CONTRACTOR's Certificate stating that all previous payments to him under the Contract have been applied by him to discharge in full all of his obligations in connection with the Work covered by all prior Applications for Payments.

In accordance with the Contract the undersigned recommends payment to the CONTRACTOR of the amount due as shown below.

G & W Engineers, Inc.

ENGINEER

By   
Mickey Sappington

Dated 10-31, 2001

### STATEMENT OF WORK

Original Contract Price	\$ <u>248,600.00</u>	Work to Date	\$ <u>398,545.00</u>
Net Change Orders (1)	\$ <u>149,945.00</u>	Amount Retained	\$ <u>0.00</u>
Current Contract Price	\$ <u>398,545.00</u>	Subtotal	\$ <u>398,545.00</u>
Work to be Done	\$ <u>0.00</u>	Previous Payments Recommended	\$ <u>223,382.00</u>
		Amount Due This Payment	\$ <u>175,163.00</u>

G & W ENGINEERS, INC.  
205 W. Live Oak St.  
Port Lavaca, Texas 77979

DOCUMENT NO. 01745

CONTRACTOR'S AFFIDAVIT AND WAIVER OF LIEN

THE STATE OF TEXAS

THE COUNTY OF CALHOUN

BEFORE ME, the undersigned authority, on this day personally appeared LINDA F. LAQUAY, who being by me first duly sworn, deposed and said:

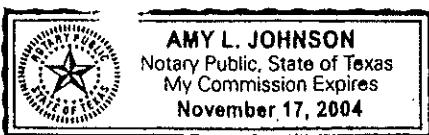
1. T. W. LAQUAY DREDGING, INC. is named as "CONTRACTOR" in that Contract dated JUNE 27, 2001 and entered into between **CALHOUN COUNTY NAVIGATION DISTRICT**, "OWNER", and CONTRACTOR under which CONTRACTOR agreed to furnish all materials, supplies, labor and equipment, and to perform all Work incident to the construction and completion of the **2001 DREDGING PROJECT**, for the **CALHOUN COUNTY NAVIGATION DISTRICT**, at the Port of Port Lavaca - Point Comfort, Point Comfort, Texas.
2. LINDA F. LAQUAY is VICE-PRESIDENT of CONTRACTOR and he has full authority to make this Affidavit on behalf of said corporation.
3. The Work has been completed in accordance with the terms of said Contract.
4. No labor, material, or mechanic liens exist or other liens or privileges of any kind upon any of the improvements, structures, pipelines, appurtenances or works, OR upon real property or interest therein whereupon such improvements, structures, pipelines, appurtenances or works were constructed arising out of the performance of the Work, OR any extras of additional work done and performed by CONTRACTOR, or by any of his subcontractors, under said Contract; AND that all sums incurred in the performance of said Contract and any extras and additions thereto, including labor, material, hauling, rental on equipment and services of every kind have been paid.
5. The statements herein are made for the purpose of securing from OWNER the Contract compensation due under said Contract.

CONTRACTOR

Signed: Linda F. LaQuay

Name & Title: LINDA F. LAQUAY  
VICE-PRESIDENT

Notary Stamp:



Subscribed and sworn to before me, the undersigned authority, on this 31ST day of OCTOBER, 2001.

Signed: Amy L. Johnson  
Notary Public in and for  
CALHOUN COUNTY, TEXAS

END OF SECTION  
END OF DIVISION

# CHANGE ORDER

No. 1

PROJECT 2001 DREDGING PROJECT

DATE OF ISSUANCE 10-31-01 ..... EFFECTIVE DATE 10-31-01 .....

OWNER CALHOUN COUNTY NAVIGATION DISTRICT

OWNER's Contract No. ....

CONTRACTOR T.W. LAQAY DREDGING, INC. ..... ENGINEER G & W ENGINEERS, INC. .....

PROJECT : 9171,177

You are directed to make the following changes in the Contract Documents.

Description: Revise actual quantity of material removed based on A.D. sections. Adjust Contract Amount for Demobilization/Remobilization and Stand By Time.

Reason for Change Order: Unexpected Shoaling and Disposal Area Limited Capacity.

Attachments: (List documents supporting change) Engineers Pay Summary & Vessel Logs

<b>CHANGE IN CONTRACT PRICE:</b>	<b>CHANGE IN CONTRACT TIMES:</b>
Original Contract Price \$ <u>248,600.00</u>	Original Contract Times Substantial Completion: _____ Ready for final payment: <u>July 30, 2001</u> <small>days or dates</small>
Net changes from previous Change Orders No. <u>-</u> to No. <u>-</u> \$ <u>-0-</u>	Net change from previous Change Orders No. <u>-</u> to No. <u>-</u> _____ <small>days</small>
Contract Price prior to this Change Order \$ <u>248,600.00</u>	Contract Times prior to this Change Order Substantial Completion: _____ Ready for final payment: <u>July 30, 2001</u> <small>days or dates</small>
Net Increase (decrease) of this Change Order \$ <u>149,945.00</u>	Net Increase (decrease) of this Change Order _____ <small>90 days</small>
Contract Price with all approved Change Orders \$ <u>398,545.00</u>	Contract Times with all approved Change Orders Substantial Completion: _____ Ready for final payment: <u>October 30, 2001</u> <small>days or dates</small>

RECOMMENDED:

By: Michael Sarge  
G & W Engineers, Inc.  
Engineer (Authorized Signature)

APPROVED:

By: \_\_\_\_\_  
Owner (Authorized Signature)  
Calhoun Co. Navigation District

Date: 10-31-01

Date: \_\_\_\_\_

ACCEPTED:

By: T. W. LaQuay  
T.W. LaQuay Dredging, Inc.  
Contractor (Authorized Signature)

Date: 10-31-01

**2001 DREDGING PROJECT  
PAYMENT SUMMARY  
CHANGE ORDER NO. 1**

**Payments No. 1 & 2**

❖ Remove 49,000 cy's maintenance mtl. @ \$4.52	\$221,480.00
Less 10% retention	<22,148.00>
➤ Standby Time of 37.0 hrs. @ \$650.00/hr	<u>24,050.00</u>
	<b>Subtotal</b>
	<b>\$223,382.00</b>

**Payment No. 3**

❖ Remove 22,000 cy's maintenance mtl. @ \$4.52	\$ 99,440.00
Remobilization	50,000.00
➤ Standby Time of 5.5 hrs. @ \$650.00/hr	3,575.00
Retention Release (Payments 1 & 2)	<u>22,148.00</u>
	<b>Subtotal</b>
	<b>\$175,163.00</b>

**Payments 1 thru 3      Total      \$398,545.00**

**❖ Shoaling Summary**

16,000 cy's (total) additional shoaling material removed within contract template area based on survey data and pre-dredge contract amount of 55,000 cy's .

**➤ Standby Time Summary (Dredge Logs Attached)**

Date	Time
8/07/01	3 hrs. 20 min.
8/08/01	7 hrs. 10 min.
8/09/01	4 hrs. 40 min.
8/10/01	2 hrs. 0 min.
8/11/01	4 hrs. 35 min.
8/12/01	4 hrs. 40 min.
8/13/01	4 hrs. 0 min.
8/14/01	6 hrs. 25 min.
10/22/01	3 hrs. 55 min.
10/23/01	1 hr. 25 min.

CALHOUN COUNTY NAVIGATION DISTRICT  
PORT OPERATIONS ACCOUNT CHECK VOUCHER

BUDGET ACCOUNT: 5460-40195 Maintain/Repair Buildings & Facilities - Depr/MR

CHECK AMOUNT: \$76,885.20

PAID TO: LaQuay Dredging Co. FOR: 2002 Dredging Project

VOUCHER PREPARED BY: BB

APPROVED BY:

er H

FUND ALLOCATION:

GROSS REVENUE:

MAINT. & OPERATIONS:

PORT EXP. GROSS REV.

BUSINESS DEVELOP.:

AN/NH3 OPERATING:

OTHER: \$76,885.20

\$76,885.20

POSTED

**Mickey Sappington, 08:31 AM 8/10/01 -0500, LaQuay Dredging Invoice**

---

X-Sender: mickeys@gwengineers.com  
X-Mailer: QUALCOMM Windows Eudora Pro Version 4.2.0.58  
Date: Fri, 10 Aug 2001 08:31:43 -0500  
To: Bob Van Borssum <rhvb@portofplpc.com>  
From: Mickey Sappington <mickeys@gwengineers.com>  
Subject: LaQuay Dredging Invoice

Bob, I received an invoice from our dredging contractor for work performed to complete the GCD area. The net amount due after 10% retention is \$76,885.20. Total volume for this area was 18,900 CY @ \$4.52 = \$85,428.00. I've reviewed the payment application and after dredge cross sections and approve. I will bring out paperwork today along with letters on coating projects you requested. Can we get authorization for payment to LaQuay at Wednesdays board meeting? Also, Tim has agreed to put a dozer on site and fill in the low area of levee at North West end containment area, if necessary, at no cost to district. I told him this would be okay. See you in a bit.  
Mickey

# G & W ENGINEERS, INC.

205 W. Live Oak      Port Lavaca, Texas 77979      (361) 552-4509      Fax (361) 552-4987

August 10, 2001

Calhoun County Navigation District  
P.O. Box 397  
Point Comfort, Texas 77978

Attention: Mr. Robert H. Van Borssum

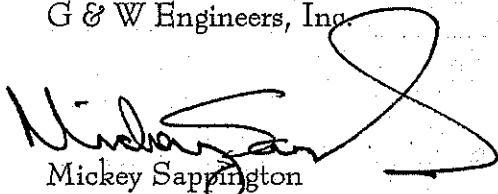
RE: RECOMMENDATION FOR PAYMENT NO. 1  
2001 Dredging Project  
Port of Port Lavaca-Point Comfort, Calhoun County, Texas

Dear Mr. Van Borssum:

We have reviewed T.W. LaQuay Dredging Inc.'s invoice dated August 9, 2001 and have enclosed a Recommendation for Payment No. 1 for the amount of \$76,885.20.

If you have any questions, please advise.

Sincerely,  
G & W Engineers, Inc.



Mickey Sappington

cc: T.W. LaQuay Dredging, Inc.  
File 9171.177/recpbyn1.lt1

No. ..... 1 .....

## RECOMMENDATION OF PAYMENT

OWNER's Project No. N/A ..... ENGINEER's Project No. 9171.177 .....

Project 2001 DREDGING PROJECT .....

CONTRACTOR T.W. LAQUAY DREDGING, INC. .....

Contract For 2001 Dredging Project ..... Contract Date July 9, 2001 .....

Application Date August 9, 2001 ..... Application Amount \$ 76,885.20 .....

For Period Ending August 9, 2001 .....

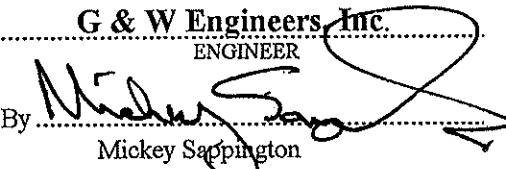
To CALHOUN COUNTY NAVIGATION DISTRICT  
OWNER

Attached hereto is the CONTRACTOR's Application for Payment for Work accomplished under the Contract through the date indicated above. The Application meets the requirements of the Contract Documents and includes the CONTRACTOR's Certificate stating that all previous payments to him under the Contract have been applied by him to discharge in full all of his obligations in connection with the Work covered by all prior Applications for Payments.

In accordance with the Contract the undersigned recommends payment to the CONTRACTOR of the amount due as shown below.

G & W Engineers, Inc.

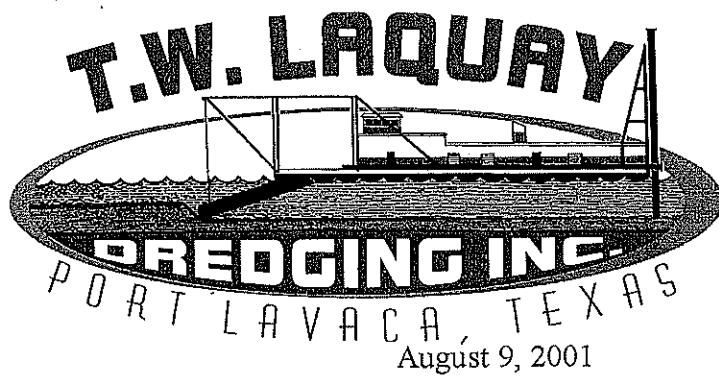
ENGINEER

By   
Mickey Sappington

Dated 8-10 , 2001

### STATEMENT OF WORK

Original Contract Price	\$ <u>248,600.00</u>	Work to Date	\$ <u>85,428.00</u>
Net Change Orders <input checked="" type="checkbox"/>	\$ <u>-0-</u>	Amount Retained	\$ <u>8,542.80</u>
Current Contract Price	\$ <u>248,600.00</u>	Subtotal	\$ <u>76,885.20</u>
Work to be Done	\$ <u>163,172.00</u>	Previous Payments Recommended	\$ <u>-0-</u>
		Amount Due This Payment	\$ <u>76,885.20</u>



August 9, 2001

Calhoun County Navigation District  
P. O. Box 397  
Point Comfort, Texas 77978

Re: 2001 Dredging Contract.

Dear Sirs:

In reference to the above contract, this letter will serve as our first request for payment for the dredging activities through August 8, 2001. This is for dredging at the General Cargo Dock.

We request for payment of dredging 18,900 Cubic Yards @ \$4.52 per cubic yard.

Request: 18,900 Cubic Yards @ \$4.52	\$ 85,428.00
Less 10% retainage	8,542.80
Total request this period	\$ 76,885.20

Please process for payment. If you have any questions, do not fail to contact us.

Yours truly,

KING FISHER MARINE SERVICE, INC.

*T. W. LaQuay*  
T. W. LaQuay  
President

TWL:ll

T. W. LAQUAY DREDGING, INC.

619 Bayview Drive • P.O. Box 24 • Port Lavaca, Texas 77979 • 361-552-2010 • Fax 361-552-1960

**THE PORT of  
Port Lavaca - Point Comfort**

Calhoun County Navigation District

P.O. Box 397 • FM 1593 South • Point Comfort, Texas 77978  
(361) 987-2813 • Fax (361) 987-2189 • E-Mail: port@fisd.net • Visit our website at www.portofpco.com

PORT OPERATIONS ACCOUNT

First Victoria National Bank  
Calhoun County Office

CHECK **018195**

88-502  
1131

PAY **\*\*One Hundred Forty One Thousand Seven Hundred Fifty Two 00/100 Dollars \*\***

TO THE  
ORDER OF

T.W. LAQUAY DREDGING, INC.  
P.O. BOX 24  
PORT LAVACA, TX 77978

DATE

AMOUNT

05/06/2005 **\*\*\*\*\*\$141,750.00**

**NON-NEGOTIABLE**

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

**CALHOUN COUNTY NAVIGATION DISTRICT**

Invoice #	Type	Date	Description	Total Amount	Discount
05-105	Inv	05/01/2005	Invoice	\$141,750.00	\$0.00

CHECK **018195**

Remittance For:	Totals:	\$141,750.00	\$0.00
T.W. LAQUAY DREDGING, INC.			
Date: 05/06/2005	Check Amount:	\$141,750.00	

CALHOUN COUNTY NAVIGATION DISTRICT  
REGULAR MEETING  
May 11, 2005

A regular meeting of the Calhoun County Navigation District was held on Wednesday, May 11, 2005 at 9:00 a.m. in the Calhoun County Navigation District Board Room, Calhoun County Navigation District Office, Point Comfort, Texas

Board Members attending were:

Commissioner # 1 – Randy L. Boyd  
Commissioner # 2 – Leo J. Kainer  
Commissioner # 3 - J. C. Melcher, Jr.  
Commissioner # 4 – Paul R. Blasingim  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Robert H. Van Borssum - Port Director  
Charles R. Hausmann -- Deputy Director Administration and Finance  
Wanda Roberts – Port General Counsel  
Miranda Hartl – Finance Assistant

Also present were:

Mickey Sappington - G & W Engineers, Inc.  
Shields A. "Tony" Holladay – Newly Elected Board Member, District No. 1  
Howard West – Texas Liquid Fertilizer  
Tom Morgan – Texas Liquid Fertilizer  
Craig Covington - Texas Liquid Fertilizer

Agenda Item No. 1: Call to Order:

Board Chairman Randy L. Boyd called the Regular Meeting to order at approximately 9:00 a.m. He announced that the agenda of the meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

The Pledge of Allegiance was led by Board Chairman Randy L. Boyd.

Agenda Item No. 14: CLOSED SESSION: As authorized by Texas Gov't Code 551.072 for the purpose of discussion with respect to the purchase, exchange, lease or value of real property.

Board Chairman Randy L. Boyd announced that "As authorized by Texas Gov't Code 551.072 for the purpose of discussion with respect to the purchase, exchange, lease or value of real property.

Further that, "No action would be taken in closed session" The Board convened in closed session at 9:06 a.m.

Return to OPEN SESSION and take any action deemed necessary based upon discussion in closed meeting.

The Board reconvened in Open Session at 9:25 a.m., Board Chairman Randy L. Boyd announced that "No action had been taken in closed session".

Agenda Item No. 2: Canvass Results of May 7, 2005 election for District Numbers 1,

5 & 6.

The Port Director reviewed the Canvass of Election Results document from Ms. Dora O. Garcia, Elections Administrator for Calhoun County, with the Board Members. The results indicated that Mr. Shields A. Holladay, Sr. defeated Mr. Randy L. Boyd in District One (1), and Board Member Roger G. Martinez defeated Mr. Donald Tyson in District Five (5). Board Member H. C. Wehmeyer, Jr. was unopposed in the election for District Six (6). Pursuant to further review and discussion, a motion was made by Board Secretary Paul R. Blasingim to approve the Election Results as certified by the County Elections Administrator. The motion was seconded by Board Member Leo J. Kainer and the motion carried unanimously.

Agenda Item No. 3: Administer Oaths of Office to Board Members for District 1, 5

& 6.

Port General Counsel Wanda Roberts administered the Oaths of Office to the newly elected Board Members from Districts 1, 5 & 6. Board Members Holladay, Martinez and Wehmeyer completed *Oaths of Office, Statement of Elected Officials and Surety Bonds* for their new terms of office.

Agenda Item No. 4: Election of Board Officers for the period May 11, 2005 through May 11, 2007.

A motion was made by Board Member Roger G. Martinez to nominate Board Member Paul R. Blasingim as Board Chairman for the period through May 11, 2007. The motion was seconded by Board Member Shields A. "Tony" Holladay and the motion carried unanimously. A motion was made by Board Member Shields A. "Tony" Holladay to nominate Board Member Roger G. Martinez as Board Secretary for the period through May 11, 2007. The motion was seconded by Board Member H. C. Wehmeyer, Jr. and the motion carried unanimously.

New Board Chairman Paul R. Blasingim welcomed new Board Member Shields A. "Tony" Holladay and thanked former Board Member Randy L. Boyd for his contributions of time and expertise over the past eight years as a Board Member.

Agenda Item No. 5: Approve the minutes of the April 13, 2005, 2005 Regular Meeting.

The minutes of the April 13, 2005 Regular Meeting were presented to the Board. A motion was made by Board Member Leo J. Kainer to approve the minutes as presented. Board Secretary Roger G. Martinez seconded the motion and the motion carried unanimously.

Agenda Item No. 6: Review of Financial Reports: All Funds.

Mr. Charles R. Hausmann, Deputy Director of Administration & Finance presented the following financial information to the Board Members for Review:

- 1.) Fund Balance Report as of April 30, 2005.
- 2.) Accounts Receivable Report as of April 30, 2005.

Mr. Hausmann reported to the Board Members that the accounts receivable report specified that the accounts receivable were 99.33% current as of April 30, 2005.

Agenda Item No. 7: Approval of Disbursements and Transfers: All Funds

- a) The Board Members reviewed the May 11, 2005 Port Operations Account disbursements. Pursuant to review, a motion was made by Board Secretary Roger G. Martinez to approve the disbursements as presented. The motion was seconded by Board Member Shields A. "Tony" Holladay and motion carried that the Port Operations Account disbursements Nos. 18159 through 18238 be approved.

Agenda Item No. 7: Approval of Disbursements and Transfers: All Funds

- b) A motion was made by Board Member Leo J. Kainer and seconded by Board Member H. C. Wehmeyer, Jr. and the motion carried unanimously to approved the following fund transfers:

CHECK NO.	FUND ACCOUNT	AMOUNT
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	<b><u>GROSS REVENUE FUND</u></b>	
2005-10	To Port Operations Account	\$ 5,484.22
2005-12	To Port Operations Account	5,856.97
2005-13	To Port Operations Account	<u>60,715.77</u>
	Total	\$72,056.96
	<b><u>MAINTENANCE AND OPERATIONS FUND</u></b>	
2005-10	To Port Operations Account	\$2,266.36
2005-12	To Port Operations Account	2,351.04
2005-13	To Port Operations Account	<u>2,183.84</u>
	Total	6,801.24
	<b><u>BUSINESS DEVELOPMENT FUND</u></b>	
2005-13	To Port Operations Account	<u>1,763.96</u>
	Total	1,763.96
	<b><u>DEPRECIATION &amp; MAJOR REPAIR FUND</u></b>	
2005-13	To Port Operations Account	<u>147,768.85</u>
	Total	147,768.85
	<b><u>POR T EXPANSION GROSS REVENUE FUND</u></b>	
2005-10	To Port Operations Account	\$ 16,444.26
2005-12	To Port Operations Account	17,029.18
2005-13	To Port Operations Account	<u>68,940.22</u>
	Total	102,413.66
	<b><u>AN/NH3 OPERATING FUND</u></b>	
2005-13	To Port Operations Account	\$ 42,892.43
	Total	42,892.43
	<b>TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT</b>	<b><u>\$373,697.10</u></b>

**INTERFUND TRANSFERS**

DATE	FROM	TO	AMOUNT
5/11/05	AN/NH3 Operating	AN/NH3 Dep. M/R	\$7,500.00
	Total		<u>\$7,500.00</u>

**Agenda Item No. 8: Port Director's Report.**

Robert H. Van Borssum, Port Director, reported the following:

A. Harbor traffic statistics for the month of April 2005:

That a total of 74 vessels had arrived at the public port facilities during the month of April 2005, 25 deep draft arrivals and 47 inland barges. Further, that 19 deep draft vessels were already on schedule for May arrival, with one vessel receiving cargo at multiple berths.

That the total revenue ton throughput for the month of April, 2005 was 412,074.9 short tons.

B. Regarding fiscal year 2005 capital improvement project status.

1. 2005 Dredging Project: That La Quay Dredging Co. had been on site and had completed the General Cargo Dock area on May 10, 2005. It was anticipated that the Matagorda Bay Pilots would lift the draft restrictions upon completion of the dredging.
2. Security Project: That the last of the replacement cameras had been installed. Further, that the Port's goal was to have the Vistascape system installed and operational within four months.
3. That in order to stay within the Class I, Division I classifications, a replacement telephone and thermostat had been installed in the pier block house.
4. Regarding FY 2005 Pending Projects, that the following projects were pending for FY 2005, but would be moved into the FY 2006 Capital Improvements Schedule:
  1. Painting of the LP supply cranes
  2. LP Potable water line upgrade
- C. Regarding the further investigations of a solid fuel dock, that a schedule was being developed for an early June visit to multiple existing dry bulk terminals for inspection.
- D. That the transition to the new depository bank, First National Bank of Port Lavaca, would take place on June 1, 2005.

*Agenda Item No. 9: Review and Consideration of the Retention of Roloff, Hnatek & Company, L.L.P. for preparation of the Fiscal Year 2005 Audited Financial Statements.*

Authorization was requested from the Board Members to retain the independent accounting firm of Roloff, Hnatek & Company, L.L.P for the preparation of the audited financial statements for Fiscal Year 2005 for all funds of the Calhoun County Navigation District. Pursuant to further review and discussion, and upon recommendation from staff, a motion was made by Board Member J. C. Melcher, Jr. to retain the independent accounting firm of Roloff, Hnatek & Company, L.L.P. for the preparation of the audited financial statements for Fiscal Year 2005. The motion was seconded by Board Member Shields A. "Tony" Holladay, and the motion carried unanimously

Agenda Item No. 10: Review and Consideration of the Renewal of the 114.05 rod natural gas Pipeline License Agreement with Neumin Production Company for the period June 6, 2005 through June 5, 2015.

The Port Director reported to the Board that on June 5, 2005, the 114.05 pipeline easement currently in place with Neumin Production Company would expire. Further, that Port General Counsel Wanda Roberts had prepared a renewal Pipeline License Agreement for this easement for the ten (10) year period June 6, 2005 through June 5, 2015 at a cost of \$2,760.10. Pursuant to further review and discussion, a motion was made by Board Member H. C. Wehmeyer, Jr. to approve the renewal of the 114.05 rod natural gas Pipeline License Agreement with Neumin Production Company for the period of June 6, 2005 through June 5, 2015. Thee motion was seconded by Board Secretary Roger G. Martinez and the motion carried unanimously.

Agenda Item No. 11: Review and Consideration of the Approval of Fiscal Year 2005 Budget Amendments.

The following FY 2005 Budget Amendments were submitted to the Board for authorization:

ACCOUNT	BUDGET AMOUNT	AMENDMENT	AMENDED TOTAL
<b>REVENUES:</b>			
Non-Harbor Operations Income	\$5,279,310	\$204,339	\$5,483,649
Third Party Reimbursements	10,000	(10,000)	0
AN/NH3 Exp. Reimbursements	25,325	(25,325)	0
Bond Issuer Fees	25,000	(25,000)	0
<b>Asset Transfers:</b>			
a) Property Acquisition	\$1,000,000	(650,000)	\$ 350,000
b) Depreciation/Major Repair	0	499,750	499,750
<b>EXPENDITURES:</b>			
Board Service Fees	55,000	10,000	65,000
Security Service Fees	165,000	10,000	175,000
Telephone Expense	17,500	2,500	20,000
Maintenance & Repair Terminals and Facilities:			
a) Storm/Wastewater Testing	12,500	7,500	20,000

b) Jetty Project Study	500,000	50,000	550,000
c) Port Security Projects	0	274,705	274,705
d) 2005 Dredging Project	0	499,750	499,750

**Vehicle & Equipment Purchases:**

a) John Deere Tractor	9,350	(1,000)	8,350
b) Polaris Ranger	7,500	795	8,295
Joslin Plant Expenses	1,000,000	(650,000)	350,000

**Consultant Expense**

a) Auditors	25,000	1,950	26,950
b) Environmental	6,500	3,500	10,000
c) NED Report	0	36,000	36,000
d) Economic Impact Report	0	10,000	10,000
e) Engineering MPD Repair	0	3,779	3,779
f) Engineering 2005 Dredging Project	0	43,394	43,394

Pursuant to further review and discussion, a motion was made by Board Member Shields A. "Tony" Holladay to approve the proposed budget amendments for Fiscal Year 2005. The motion was seconded by Board Member Leo J. Kainer and the motion passed unanimously.

**Agenda Item No. 12: Review and Consideration of the Approval of Interlocal Agreement between the Calhoun County Navigation District and the TML Intergovernmental Employee Benefit Pool.**

The Port Director reported to the Board that upon entering the third year of participation in the TML Intergovernmental Employee Benefit Pool, the District had been requested to complete and submit an Interlocal Agreement to be approved by the Board at an Open Meeting. Further, that Port Counsel Wanda Roberts had been provided a copy of this Interlocal Agreement for review and comment prior to the Board Meeting. It was noted that the TML Intergovernmental Employee Benefit Pool had provided the District an affordable mechanism to provide major medical insurance coverage for its full time employees. Pursuant to further review and discussion, a motion was made by Board Member Leo J. Kainer to approve the Interlocal Agreement between the Calhoun County Navigation District and the TML Intergovernmental Employee Benefit Pool. The motion was seconded by Board Secretary Roger G. Martinez and the motion carried unanimously.

Agenda Item No. 13: Review and Consideration of a Resolution Approving the Guidelines and Criteria of Calhoun County for Granting Tax Abatement as a Business Incentive in Reinvestment Zones Created in Calhoun County.

This agenda item was tabled until the next Regular Board Meeting in order for Port General Counsel to research this issue more.

Agenda Item No. 14: CLOSED SESSION: As authorized by Texas Gov't Code 551.072 for the purpose of discussion with respect to the purchase, exchange, lease or value of real property.

Board Chairman Paul R. Blasingim announced that "As authorized by Texas Gov't Code 551.072 for the purpose of discussion with respect to the purchase, exchange, lease or value of real property."

Further that, "No action would be taken in closed session" The Board convened in closed session at 10:00 a.m.

Return to OPEN SESSION and take any action deemed necessary based upon discussion in closed meeting.

The Board reconvened in Open Session at 10:37 a.m., Board Chairman Paul R. Blasingim announced that "No action had been taken in closed session".

Agenda Item No. 15 Adjourn.

There being no further business to be brought before the Board, a motion was duly made and seconded that the meeting be declared adjourned at approximately 10:38 a.m.

Paul R. Blasingim, Board Chairman

ATTEST:

Roger G. Martinez, Board Secretary

## CALHOUN COUNTY NAVIGATION DISTRICT

## CHECK REGISTER

May 11, 2005

CHECK NO.	PAYEE	BUDGET ACCOUNT	AMOUNT
18025	LYDIA S. CANTU	ADMINISTRATION WAGES	\$ 633.46
18026	ROCKY G. CORTEZ	PORT MAINTENANCE WAGES	\$ 1,350.59
18027	MACEY D. FINSTER	ADMINISTRATION WAGES	\$ 226.36
18028	MIRANDA M. HARTL	ADMINISTRATION WAGES	\$ 905.37
18029	CHARLES R. HAUSMANN	ADMINISTRATION WAGES	\$ 1,494.80
18030	ADRIAN J. KAMM	PORT OPERATIONS WAGES	\$ 1,808.03
18031	LARRY C. LYNCH	PORT MAINTNANCE WAGES	\$ 1,070.24
18032	VOID		
18033	EARL S. PATTILO	PORT OPERATIONS WAGRS	\$ 1,339.83
18034	ROBERT H. POPE	PORT MAINTENANCE WAGES	\$ 1,263.52
18035	STEPHEN C. RODRIGUEZ	PORT MAINTLNANCE WAGES	\$ 922.01
18036	JOHN M. SULLIVAN	PORT OPERATIONS WAGIS	\$ 837.07
18037	ROBERT H. VAN BORSSUM	ADMINISTRATION WAGES	\$ 2,189.70
18038	LUIS VELASQUEZ	PORT MAINTENANC WAGES	\$ 749.99
18039	UNITED WAY OF CALHOUN COUNTY	PAYROLL CONTRIBUTIONS	\$ 12.50
18040	TEXAS CHILD SUPPORT DISBURSEMENT	CHILD SUPPORT PAYMENT	\$ 184.62
18041	NATIONWIDE RETIREMENT SOLUTIONS	RETIREMENT CONTRIBUTIONS	\$ 1,853.33
18042	DAVID E. NICHOLSON	PORT OPERATIONS WAGES	\$ 966.95
	ELECTRONIC FED. TAX PYMT. SYSTEM	PAYROLL TAX DEPOSIT	\$ 6,386.47
18124	LYDIA S. CANTU	ADMINISTRATION WAGES	\$ 633.46
18125	ROCKY G. CORTEZ	PORT MAINTENANCE WAGES	\$ 1,362.06
18126	MACBY D. FINSTER	ADMINISTRATION WAGES	\$ 217.72
18127	MIRANDA M. HARTL	ADMINISTRATION WAGES	\$ 905.38
18128	CHARLES R. HAUSMANN	ADMINISTRATION WAGES	\$ 1,797.84
18129	ADRIAN J. KAMM	PORT OPERATIONS WAGES	\$ 1,898.05
18130	LARRY C. LYNCH	PORT MAINTENANC WAGES	\$ 1,106.79
18131	DAVID E. NICHOLSON	PORT OPERATIONS WAGRS	\$ 944.00
18132	EARL S. PATTILO	PORT OPERATIONS WAGES	\$ 1,481.99
18133	ROBERT H. POPE	PORT MAINTENANCE WAGES	\$ 1,378.43
18134	STEPHEN C. RODRIGUEZ	PORT MAINTENANCE WAGES	\$ 1,009.28
18135	JOHN M. SULLIVAN	PORT OPERATIONS WAGES	\$ 968.88
18136	ROBERT H. VAN BORSSUM	ADMINISTRATION WAGES	\$ 2,189.70
18137	LUIS VELASQUEZ	PORT MAINTENANCE WAGES	\$ 770.90
18138	UNITED WAY OF CALHOUN COUNTY	PAYROLL CONTRIBUTIONS	\$ 12.50
18139	TEXAS CHILD SUPPORT DISBURSEMENT	CHILD SUPPORT PAYMENT	\$ 184.62
18140	NATIONWIDE RETIREMENT SOLUTIONS	RETIREMENT CONTRIBUTIONS	\$ 1,803.33
	ELECTRONIC FED. TAX PYMT. SYSTEM	PAYROLL TAX DEPOSIT	\$ 6,572.26
18159	AAPA	TECHNICAL TRAINING AND TRAVEL	\$ 2,640.00
18160	ACTION LUMBER	M/R BUILDINGS AND FACILITIES	\$ 8.00
18161	AIRGAS	M/R BUILDINGS AND FACILITIES	\$ 218.82
18162	AMERICAN EXPRESS	TECHNICAL TRAINING AND TRAVEL	\$ 1,160.05
18163	AMERICAN TV & APPLIANCE	M/R BUILDINGS AND FACILITIES	\$ 578.15
18164	AQUA BEVERAGE	MISC GENERAL EXPENSE	\$ 83.97
18165	AUTO PARTS & MACHINE	M/R VEHICLES & EQUIPMENT	\$ 339.13
18166	BONDLOGISTIX	INTEREST EXPENSE	\$ 2,550.00
18167	BOSART'S POLARIS	M/R VEHICLES & EQUIPMENT	\$ 299.99
18168	RANDY L. BOYD	TECHNICAL TRAINING AND TRAVEL	\$ 291.75
18169	CAMPOS HAULING	M/R FIRE SYSTEM	\$ 336.00
18170	CARROLL SIGN MASTER	ADVERTISING EXPENSE	\$ 88.00
18171	CCND - DRPRECIATION	FACILITY DEPRECATION	\$ 15,000.00
18172	CCND - GROSS REVENUE	RAW WATER	\$ 16.17
18173	CCND- M&O	AN/NH3 PERSONNEL REIMBUSEMENT	\$ 2,151.45
18174	CCND - PEGR	ELECTRICAL SERVICE	\$ 1,148.69
18175	CENTRAL AUTO	M/R VEHICLES & EQUIPMENT	\$ 175.31
18176	CINTAS	MISC GENERAL EXPENSE	\$ 554.10
18177	CITIGROUP	AN/NH3 REMARKETING	\$ 7,397.26
18178	COASTAL OFFICE PRODUCTS	OFFICE SUPPLY EXPENSE	\$ 268.58
18179	VOID		
18180	CONTRACTORS SAFETY COUNCIL	MISC GENERAL EXPENSE	\$ 25.00
18181	CORPORATE EXPRESS	OFFICE SUPPLY EXPENSE	\$ 110.27

18182	CAPITAL TELECOMMUNICATIONS	TELEPHONE EXPENSE	\$ 100.63
18183	CUSTOM MAID SERVICE	M/R BUILDINGS AND FACILITIES	\$ 1,632.81
18184	DIEBEL OIL	FUEL & OIL EXPENSE	\$ 992.88
18185	FEDERAL EXPRESS	POSTAGE & FREIGHT	\$ 133.76
18186	G & W ENGINEERS, INC	PORT SECURITY DETECTION SYSTEM	\$ 6,651.50
		TSA GRANT ROUND 4	\$ 170.00
		COMPUTER TECHNICIAN	\$ 280.00
		GCD TURNING CELL	\$ 947.75
		LPS CONTAINMENT RESURFACING	\$ 307.25
		AN/NJI3 EXPENSE	\$ 6,300.25
		GENERAL ENGINEERING	\$ 1,926.64
		JOSLIN PLANT EXPENSE	\$ 1,991.01
		2005 DREDGING PROJECT	\$ 5,526.35
18187	VOID		
18188	ROBERTS, ROBERTS & ODEFAY	LEGAL EXPENSES	\$ 5,015.75
18189	HILB, ROGAL & HOBBS	PROPERTY & LIABILITY INSURANCE	\$ 500.00
18190	HILL COUNTRY ENVIRONMENTAL	CONSULTANT	\$ 9,345.02
18191	HOUSTON COCA COLA	MISC GENERAL EXPENSE	\$ 119.40
18192	IMAGERY GRAPHIC SOLUTIONS	OFFICE SUPPLY EXPENSE	\$ 104.90
18193	IOS CAPITAL	OFFICE SUPPLY EXPENSE	\$ 260.00
18194	ISCO INDUSTRIES	M/R FIRE SYSTEM	\$ 1,732.00
18195	LA QUAY DREDGING	2005 DREDGING PROJECT	\$ 141,750.00
18196	LAVACA NAVIDAD RIVER AUTHORITY	RAW WATER	\$ 5,357.17
18197	MALDONADO & ASSOCIATES	FEDERAL RELATIONS	\$ 8,332.00
18198	MANPOWER	CONTRACT LABOR EXPENSE	\$ 2,623.50
18199	VOID		
18200	MARTIN PRINTING	OFFICE SUPPLY EXPENSE	\$ 111.00
18201	MELSTAN, INC	M/R BUILDINGS AND FACILITIES	\$ 36.00
18202	MENCHACA'S SECURITY	SECURITY EXPENSE	\$ 17,340.00
18203	MID COAST ELECTRIC	M/R BUILDINGS AND FACILITIES	\$ 1,942.87
18204	MID COAST HURRICANE CONFERENCE	TECHNICAL TRAINING AND TRAVEL	\$ 30.00
18205	NES	M/R BUILDINGS AND FACILITIES	\$ 73.92
18206	OFFICE DEPOT	OFFICE SUPPLY EXPENSE	\$ 89.98
18207	NATIONWIDE RETIREMENT SOLUTIONS	RETIREMENT CONTRIBUTIONS	\$ 3,366.09
18208	PITNEY BOWES	POSTAGE & FREIGHT	\$ 500.00
18209	PORT LAVACA FORD	M/R VEHICLES & EQUIPMENT	\$ 82.58
18210	POWER ELECTRIC & HARDWARE	M/R BUILDINGS AND FACILITIES	\$ 20.11
18211	RELIANT ENERGY	ELECTRICAL SERVICE	\$ 31,615.22
18212	VOID		
18213	R.J. WOOTEN PAINTING & MORE	M/R BUILDINGS AND FACILITIES	\$ 450.00
18214	SANITY KLEEN	M/R BUILDINGS AND FACILITIES	\$ 192.51
18215	SEMPRA ENERGY	JOSLIN PLANT EXPENSE	\$ 4,710.15
18216	SPRINT	TELEPHONE EXPENSE	\$ 485.78
18217	STANDARD COFFEE	MISC GENERAL EXPENSE	\$ 61.62
18218	SUNBEAM SUPPLY	M/R BUILDINGS AND FACILITIES	\$ 24.09
18219	SUPERIOR TERMITE PEST CONTROL	M/R BUILDINGS AND FACILITIES	\$ 125.00
18220	T-MOBILE	TELEPHONE EXPENSE	\$ 41.35
18221	TESTENGER	TELEPHONE EXPENSE	\$ 9.00
18222	TML-JEBP	EMPLOYEE HEALTH INSURANCE	\$ 9,885.92
18223	TRANSPORTATION TBL TICKLER	ADVERTISING EXPENSE	\$ 1,225.00
18224	TEXAS WORKFORCE COMMISSION	UNEMPLOYMENT BENEFITS	\$ 3,360.00
18225	TEXAS PORTS ASSOCIATION	PROMOTIONAL EXPENSE	\$ 288.70
18226	URS CORPORATION	BLEACH PROJECT	\$ 3,303.00
18227	VERIZON	TELEPHONE EXPENSE	\$ 1,209.71
18228	VERSALIFT	TECHNICAL TRAINING AND TRAVEL	\$ 2,012.99
18229	VICTORIA FARM EQUIPMENT	M/R VEHICLES & EQUIPMENT	\$ 525.90
18230	WASTE MANAGEMENT	WASTE DISPOSAL	\$ 494.79
18231	WILKIE TIRE CENTER	M/R VEHICLES & EQUIPMENT	\$ 119.00
18232	WILSON	M/R BUILDINGS AND FACILITIES	\$ 84.96
18233	PAUL R. BLASINGIM	BOARD SERVICES FEES	\$ 300.00
18234	RANDY L. BOYD	BOARD SERVICES FEES	\$ 550.00
18235	LEO J. KAINER	BOARD SERVICES FEES	\$ 300.00
18236	ROGER G. MARTINEZ	BOARD SERVICES FEES	\$ 300.00
18237	J. C. MELCHIER, JR.	BOARD SERVICES FEES	\$ 300.00
18238	H. C. WILHEMYER, JR.	BOARD SERVICES FEES	\$ 300.00
	ELECTRONIC FED. TAX PYMT. SYSTEM	PAYROLL/TAX DEPOSIT	\$ 856.57

TOTAL FUND DISTRIBUTIONS	\$ 373,697.10
FUND DISTRIBUTION:	
GROSS REVENUE FUND	\$ 72,056.96
MAINTENANCE & OPERATIONS FUND	\$ 6,801.24
BUSINESS DEVELOPMENT FUND	\$ 1,763.96
DEPRECIATION & MAJOR REPAIR FUND	\$ 147,768.85
PORT EXPANSION GROSS REVENUE FUND	\$ 102,413.66
AN/NH3 OPERATING FUND	\$ 42,892.43
TOTAL FUND DISTRIBUTION	\$ 373,697.10

**CALHOUN PORT AUTHORITY  
REGULAR MEETING  
July 8, 2009**

A regular meeting of the Calhoun Port Authority was held on Wednesday, July 8, 2009, at 9:00 a.m. in the Calhoun Port Authority Board Room, Calhoun Port Authority Office, Point Comfort, Texas

Board Members attending were:

Commissioner # 1 – Shields A. “Tony” Holladay, Sr.  
Commissioner # 2 – Dell R. Weathersby  
Commissioner # 3 – J.C. Melcher, Jr.  
Commissioner # 4 – Randy L. Boyd  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Charles R. Hausmann – Port Director  
Forrest E. Hawes – Deputy Port Director  
Wanda Roberts – Port General Counsel  
Miranda Malek – Finance Assistant

Others Present were:

Mickey Sappington – G&W Engineers, Inc.  
Tania French – the *Wave*  
Jack Wu – Formosa Plastics Corporation, Texas  
Mark Mazoch – URS Corporation  
Greg Mayberry

**Agenda Item No. 1: Call to Order:**

Board Chair Randy L. Boyd called the Regular Meeting to order at approximately 9:00 a.m. He announced that the agenda of the meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

The Pledge of Allegiance was led by Board Chair Randy L. Boyd.

**Agenda Item No. 2: Approve the minutes of the Thursday, June 4, 2009 Special Meeting, the Wednesday, June 10, 2009 Regular Meeting and the June 24, 2009 Special Meeting.**

The minutes of the Thursday, June 4, 2009 Special Meeting, the Wednesday, June 10, 2009 Regular Meeting and the June 24, 2009 Special Meeting were presented to the Board. Pursuant to further review and discussion, a motion was made by Board Member J.C. Melcher, Jr. to approve the minutes as with one revision to the Special Meeting Minutes from June 4, 2009. Board Member Tony Holladay seconded the motion and the motion carried unanimously.

**Agenda Item No. 3: Review of Financial Reports: All Funds.**

Mr. Forrest E. Hawes presented the following financial information to the Board Members for Review:

Fund Balance Report as of June 30, 2009.

## 1.) Accounts Receivable Report as of June 30, 2009

Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable were 83% current as of June 30, 2009.

**Agenda Item No. 4: Approval of Disbursements and Transfers: All Funds**

The Board Members reviewed the July 6, 2009 Port Operations Account disbursements.

Pursuant to review, a motion was made by Board Member Tony Holladay to approve the disbursements and the transfers for the July 6, 2009 disbursements as presented. The motion was seconded by Board Secretary H. C. Wehmeyer, Jr. and motion carried that the Port Operations Account disbursements Nos. 23948 through 23993 be approved.

<u>CHECK NO.</u>	<u>FUND ACCOUNT</u>	<u>AMOUNT</u>
<b><u>GROSS REVENUE FUND</u></b>		
2008-137	To Port Operations Fund	\$ 6,385.82
2009-139	To Port Operations Fund	6,665.81
2009-141	To Port Operations Fund	<u>275,454.98</u>
	Total	\$288,506.61
<b><u>MAINTENANCE AND OPERATIONS FUND</u></b>		
2008-137	To Port Operations Fund	\$ 2,606.49
2009-139	To Port Operations Fund	2,627.78
2009-141	To Port Operations Fund	<u>3,157.88</u>
	Total	\$ 8,392.15
<b><u>BUSINESS DEVELOPMENT FUND</u></b>		
2009-141	To Port Operations Fund	\$ <u>2,382.53</u>
	Total	\$ 2,382.53
<b><u>DEPRECIATION &amp; MAJOR REPAIR FUND</u></b>		
	Total	\$
<b><u>PORT EXPANSION GROSS REVENUE FUND</u></b>		
2008-137	To Port Operations Fund	\$ 19,325.23
2009-139	To Port Operations Fund	19,986.39
2009-141	To Port Operations Fund	<u>518,097.14</u>
	Total	\$ 557,408.76
<b><u>AN/NH3 OPERATING FUND</u></b>		
2009-141	To Port Operations Fund	\$ 211,776.00
	Total	\$ 211,776.00
<b><u>LNG REIMBURSEMENT FUND</u></b>		

Total

<b>TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT</b>	<b>\$1,068,466.05</b>
---	-----------------------

**INTERFUND TRANSFERS**

<b>DATE</b>	<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
7/08/09	AN/NH3 Operating	AN/NH3 Dep. M/R	\$7,500.00
	Total		<b>\$7,500.00</b>

**Agenda Item No. 5: Port Director's Report.**

Charles R. Hausmann, Port Director, reported the following:

A. Harbor Traffic Statistics for the month of June 2009:

That a total of 63 vessels had arrived at the public port facilities during the month of June 2009: 22 deep draft arrivals and 41 inland barges and a total of 157 invoices were issued. Further, that 15 deep draft vessels were already on schedule for July arrival.

That the total throughput for the month of June 2009 was 281,356.8 short tons and total revenue tons for the year were 3,194,255.4 short tons.

Throughput was down 30.24% from 2008, ship traffic was down 19.15% from 2008 and barge traffic was down 32.92% from 2008.

Regarding the status of Fiscal Year 2009 capital improvement projects:

There were no capital improvement projects underway at this time.

B. That Orion was continuing to pour the bents on the dry bulk dock and installing the decking. They had completed driving all concrete piles and the dredging for the dock was completed. The slab for the Control/Block House had also been poured.

C. The Port was still waiting on the receipt of the \$35,000.00 payment from ReNu Power for the month of June. A letter was sent notifying ReNu that they were in default on June 27, 2009. Payment had been received for the month of May in the amount of \$35,000.00 and payment had been received for the May electricity reimbursement in the amount of \$4,734.50. The Port had not received any electrical invoices from the new electric provider for June 2009.

**Agenda Item No. 6: Review and Approval of Board Members Committee/Conference Attendance.**

The Members of the Board reviewed a copy of the committee/conference attendance form. This form was to be filled out by Board Members that attend any meetings that are not posted meetings of the Calhoun Port Authority. Pursuant to further review and discussion, a motion was made by Board Secretary H. C. Wehemeyer, Jr. to approve the Committee/Conference Attendance form. The motion was seconded by Board Member Roger G. Martinez and the motion carried unanimously.

**Agenda Item No. 7: Review and Consideration of Approval of the Calhoun Port Authority Public Comment Policy.**

The Board Members reviewed a proposed policy drafted by Port General Counsel that would control the time that an individual would have to address the Board during the Public Comment time.

Pursuant to further review and discussion, a motion was made by Board Member Tony Holladay to approve the proposed Calhoun Port Authority Public Comment policy. The motion was seconded by Board Member Roger G. Martinez and the motion carried. Board Member J. C. Melcher, Jr. had stepped out of the meeting during this discussion.

**Agenda Item No. 8: Public Comment.**

During the Public Comment session for the July 8, 2009 Board Meeting, Mr. Greg Mayberry addressed the Board Members regarding an erosion problem on his property due to the ship and barge traffic in the Matagorda Ship Channel.

**Agenda Item No. 9: Review and Consideration of Proposals Received for the Preparation of the FY2009 Annual Audit Report and Financial Statement.**

The Board Members reviewed all of the audit proposals that were submitted. Pursuant to further review and discussion, a motion was made by Board Member Dell R. Weathersby to accept the bid from the accounting firm of Harrison Waldrop & Uhreck. The motion was seconded by Board Member Roger G. Martinez and the motion carried unanimously.

**Agenda Item No. 10: Review and Consideration of Approval of the AN/NH3 Storage Fees Effective July 1, 2009, Port Tariff Item No. 119, Subrule 4A.**

The Board Members reviewed the recommended storage fees for approval for fiscal year 2010. The fees were as follows:

AN: \$3.37 per short ton

NH3: \$8.37 per short ton

Pursuant to further review and discussion, a motion was made by Board Member Tony Holladay to approve the recommended storage fee rates for the AN/NH3 Storage Fees effective July 1, 2009, Port Tariff Item No. 119, Subrule 4A. The motion was seconded by Board Secretary H. C. Wehmeyer, Jr. and the motion carried unanimously.

**Agenda Item No. 11: Review and Consideration of Approval of the Fiscal Year 2010 Budget.**

The Board Members reviewed a draft copy of the Fiscal Year 2010 Budget for the Calhoun Port Authority. Pursuant to further review and discussion, a motion was made by Board Member Tony Holladay to approve the submitted copy of the Fiscal Year 2010 Budget with an amendment to decrease the appraisal district fees to \$1,000.00. The motion was seconded by Board Member Roger G. Martinez and the motion carried unanimously.

**Agenda Item No. 12: Review and Consideration of 2009 GICA Convention Sponsorship.**

The Board Members reviewed the 2009 GICA Convention sponsor form that provided the different levels of sponsorship available. Pursuant to review and discussion, a motion was made by Board Member Dell R. Weathersby to approve a \$1,000.00 sponsorship of the 2009 GICA Convention. The motion was seconded by Board Member Tony Holladay and the motion carried unanimously.

**Agenda Item No. 13: Review and Consideration of Request by Formosa Plastics Corporation to move the Access Road for the Jetty Conveyor to the South.**

The Board Members reviewed a copy of an email received by the Port Director from Mr. Jack Wu of Formosa Plastics Corporation requesting the access road to the jetty conveyor system be moved to the south onto Port owned property to avoid damaging gas pipelines that run parallel to the jetty conveyor system. Pursuant to further review and discussion, a motion was made by Board Member J. C. Melcher, Jr. to approve the request made by Formosa Plastics Corporation, Texas to move the access road to the jetty conveyor system south onto Port owned property with the provisions that Formosa Plastics Corporation, Texas pay all costs and incurred costs by NuCoastal/ReNu Power lease and easement alterations. The motion was seconded by Board Member Tony Holladay and the motion carried unanimously.

Agenda Item No. 14: Review and Consideration of Payment of \$516,860.00 T.W. LaQuay Dredging Inc. for dredging of Port Authority Berths.

The Board Members reviewed the contractors invoice, Contractor's Final Affidavit and Waiver of Liens and the recommendation for payment from G&W Engineers, Inc. Pursuant to further review and discussion, a motion was made by Board Member Tony Holladay to approve the payment of \$516,860.00 to T. W. LaQuay Dredging Inc. for the dredging of the Port Authority Berths. The motion was seconded by Board Secretary H. C. Wehmeyer, Jr. and the motion carried unanimously.

Agenda Item No. 13: Adjourn.

There being no further business to be brought before the Board, a motion was duly made that the meeting be declared adjourned at approximately 10:20 a.m.

  
Randy L. Boyd, Board Chair

ATTEST:

  
H. C. Wehmeyer, Jr., Board Secretary

# THE PORT of Port Lavaca - Point Comfort

Calhoun County Navigation District  
P.O. Box 397 • FM 1593 South • Point Comfort, Texas 77978  
(361) 987-2813 • Fax (361) 987-2189 • E-Mail: port@tisd.net • Visit our website at www.portofplpc.com

PORT OPERATIONS ACCO

First National Bank in Port Lavaca  
Port Lavaca, Texas

88-2316  
1131

CHECK 023983  
23983

PAY \*\*\*\*Five Hundred Sixteen Thousand Eight Hundred Sixty and 00/100 Dollars

TO THE  
ORDER OF

DATE  
7/6/2009

AMOUNT  
\$516,860.00

T.W. Laquay Dredging, Inc.  
P.O. Box 24  
Port Lavaca, TX 77978  
USA

AUTHORIZED SIGNATURE

**NON-NEGOTIABLE**

AUTHORIZED SIGNATURE

023983 031312316200 000 329 00

Payee T.W. Laquay Dredging, Inc.  
Vendor ID TWL001  
CALHOUN COUNTY NAVIGATION DISTRICT

Account #:

CHECK

023983

Invoice	Invoice Date	Description	Discount	Amount to Pay
08-012	5/15/2009	Dredging	\$0.00	\$516,860.00

Total : \$0.00 \$516,860.00

CALHOUN COUNTY NAVIGATION DISTRICT  
PORT OPERATIONS ACCOUNT CHECK VOUCHER

BUDGET ACCOUNT: 5460-10115 Maintain/Repair Buildings & Facilities - GR  
5141  
5142  
5143

CHECK AMOUNT: \$516,860.00  
=====

PAID TO: TW LaQuay FOR: Dredging

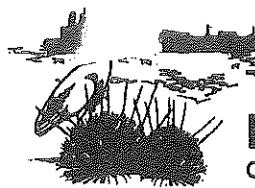
VOUCHER PREPARED BY: MM REVIEWED BY:  
INVOICE #: 09-012

FUND ALLOCATION: DATE: 5/15/2009  
GROSS REVENUE: \$516,860.00 PO#: 3148

MAINT. & OPERATIONS: ACCT #:  
PORT EXP. GROSS REV.  
BUSINESS DEVELOP.:  
AN/NH3 OPERATING:  
OTHER:

\$516,860.00  
=====

PO# 3148  
5/15/09



**THE PORT of  
Port Lavaca - Point Comfort**

CALHOUN COUNTY NAVIGATION DISTRICT

P.O. Box 397

Point Comfort, Texas 77978

(361) 987-2813

Fax (361) 987-2189

PURCHASE ORDER

VENDOR CODE

# purchase order

SHIP TO:

R.R. Canary Dredging, Inc.

P.O. Box 24

PORT LAVACA, TEXAS 77978

ATTN: Tim Canary

(361) 562-2110

P.O. DATE	SHIP VIA	F.O.B.	TERMS
5-10-07			NET 30

QTY. REQ.	ITEM NO.	DESCRIPTION	UNIT COST	EXTENDED COST
	1	Perform dredging operation under Port Salt Water Pipe Bumps During 2007 Major Dredging Cycle within Harbor Per Proposal Dated May 10, 2007		\$23,000.00

Buyer Signature

Timothy Canary

Ordered by

Mr. Tim Canary

Authorized by

# G & W ENGINEERS, INC.

205 W. Live Oak   Port Lavaca, Texas 77979   (361) 552-4509   Fax (361) 552-4987

June 18, 2009

Calhoun Port Authority  
P.O. Box 397  
Point Comfort, Texas 77978  
Attention: Mr. Charles Hausman, Port Director

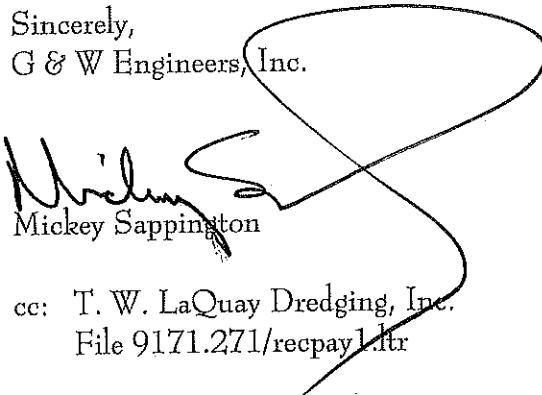
RE: RECOMMENDATION FOR PAYMENT NO. 1-FINAL  
2008 DREDGING PROJECT  
PORT OF PORT LAVACA - POINT COMFORT

Dear Mr. Hausman:

I have reviewed the attached invoice #09-012 from T. W. LaQuay Dredging, Inc. for the above referenced project. Enclosed is Recommendation for Payment No. 1-Final of \$516,860.00 along with T. W. LaQuay's Dredging Logs and Affidavit and Waiver of Liens.

Please call if you have any questions.

Sincerely,  
G & W Engineers, Inc.

  
Mickey Sappington

cc: T. W. LaQuay Dredging, Inc.  
File 9171.271/recpay1.ltr

No. 1

## RECOMMENDATION OF PAYMENT

OWNER's Project No. \_\_\_\_\_

ENGINEER's Project No. 9171.271

Project 2008 DREDGING PROJECT  
PORT OF PORT LAVACA-POINT COMFORT, CALHOUN CO., TX

CONTRACTOR T. W. LAQUAY DREDGING, INC.

Contract for <u>2008 DREDGING PROJECT</u>	Contract Date	<u>December 10, 2008</u>
Application Date <u>May 15, 2009</u>	Application Amount	<u>\$516,860.00</u>
For Period Ending <u>May 15, 2009</u>		

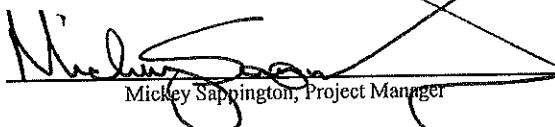
To CALHOUN PORT AUTHORITY  
Owner

Attached hereto is the CONTRACTOR's Application for Payment for Work accomplished under the Contract through the date indicated above. To the extent that we have been present on the project site as outlined in our Engineering Agreement, we believe that the Application meets the requirements of the Contract Documents and includes the CONTRACTOR's Certificate stating that all previous payments to him under the Contract have been applied by him to discharge in full all of his obligations in connection with the Work covered by all prior Applications for Payments.

In accordance with the Contract, the undersigned, subject to the limitation in the preceding paragraph, recommends payment to the CONTRACTOR of the amount due as shown below.

G & W Engineers, Inc.

Dated June 18, 2009

By:   
Mickey Sappington, Project Manager

### STATEMENT OF WORK

Original Contract Price	\$ <u>523,363.75</u>	Work to Date	\$ <u>516,860.00</u>
Net Change Orders ( )	\$ <u>-</u>	Amount Retained	\$ <u>-</u>
Current Contract Price	\$ <u>523,363.75</u>	Subtotal	\$ <u>516,860.00</u>
Work to be Done	\$ <u>-</u>	Previous Payments Recommended	\$ <u>-</u>
		Amount Due This Payment	\$ <u>516,860.00</u>

G & W ENGINEERS, INC.  
205 W. Live Oak St.  
Port Lavaca, Texas 77979  
(361) 552-4509

T.W. LaQuay Dredging, Inc.

PO Box 24  
619 Bayview Drive  
Port Lavaca, TX 77979



# Invoice

Date	Invoice #
5/15/2009	09-012

Bill To
Calhoun Port Authority P. O. Box 397 Point Comfort, Texas 77978

P.O. No.	Terms	Project
Job 173	Due on receipt	

Quantity	Description	Rate	Amount
1 86,720 24.15	Mobilization and Demobilization Cubic Yards Removed Standby Charges due to down time for ship and tow traffic	100,000.00 4.25 2,000.00	100,000.00 368,560.00 48,300.00

Thank you for the opportunity to do your work!

**Total**

\$516,860.00

**CONTRACTOR'S PARTIAL AFFIDAVIT AND WAIVER OF LIENS**

THE STATE OF Texas §  
§  
COUNTY OF Calhoun §

BEFORE ME, the undersigned authority, on this day personally appeared Linda LaQuay,  
Secretary-Treasurer of T.W.LaQuay Dredging, Inc. ("CONTRACTOR"),  
who, being first duly sworn by me, upon oath deposed and said that:

1. Affiant is duly authorized to make this affidavit and agreement on behalf of CONTRACTOR and is fully and personally cognizant of all facts and matters herein stated.
2. Pursuant to the terms of that certain Contract, dated the 10th day of December, 2008, (the "Contract"), between CONTRACTOR and **CALHOUN PORT AUTHORITY** ("OWNER"), CONTRACTOR has performed work and labor and has furnished materials, specially fabricated materials, equipment, services and supplies for use in connection with performing all Work incident to the construction of the Project known as **2008 DREDGING PROJECT FOR THE CALHOUN PORT AUTHORITY AT THE PORT OF PORT LAVACA - POINT COMFORT, POINT COMFORT, TEXAS.**
3. The Work has been completed in accordance with the terms of such contract.
4. All bills, debts, claims or accounts now due which CONTRACTOR has incurred to any person, firm or corporation for work or labor performed, for equipment rental, or for materials, specially fabricated materials, services or supplies furnished in connection with the Work under such Contract prior to June 4, 2009 (which date is the last day covered by this Partial Affidavit and Waiver of Liens and is herein called the "payment date") have been paid, settled or discharged in full or are included in the amount requested in CONTRACTOR's current payment application, there are no written claims of mechanics' or materialmen's liens submitted to CONTRACTOR at such payment date, CONTRACTOR has no knowledge of any filed mechanics' or materialmen's liens with respect to the Project or OWNER, all due and payable bills with respect to the Project and the Work performed thereon and materials supplied thereto have been paid to date or shall be paid from the proceeds of such current payment application, there is no basis for the filing of any mechanics' or materialmen's liens with respect to the Project or OWNER, and that waivers from all subcontractors constitute an effective waiver of lien under the laws of the jurisdiction in which the Project is located to the extent of payments that have been made or are to be made concurrently with payment pursuant to such current application.
5. This agreement constitutes a release and waiver of all liens to which CONTRACTOR may be entitled against the above described Project, all improvements thereon and any fixtures, chattels or other property of OWNER thereon on account of all work performed and all materials furnished under such Contract to and including the payment date.

6. Affiant understands that this affidavit is made for the purpose of inducing OWNER to make payments under the Contract and that, in making any such payment, OWNER will rely upon the accuracy of the matters stated in this affidavit. CONTRACTOR therefore agrees to indemnify, defend and hold OWNER and OWNER's successors and assigns, harmless from any loss, cost or expense incurred by virtue of any claims made against them on account of any unpaid bills for labor heretofore performed or for materials, specially fabricated materials, services or other supplies furnished under such Contract to and including the payment date.
7. CONTRACTOR represents and warrants that the list of subcontractors and materialmen attached hereto and made part hereof for all purposes represent a full and complete list of all subcontractors and suppliers furnishing materials or equipment for the Project during the time period covered by this Partial Affidavit and Waiver of Liens.

EXECUTED this 4<sup>th</sup> day of June, 2009.

T.W. LAQUAY DREDGING, INC.

(CONTRACTOR'S NAME)

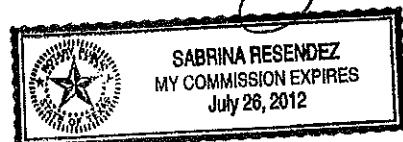
Signed By: Linda LaQuay  
Print Name: Linda LaQuay

Title: Sec.-Treas./Vice-President

SWORN TO AND SUBSCRIBED by Linda LaQuay, Sec-Treas. Vice-President of  
T.W. LaQuay Dredging, before me this 4<sup>th</sup> day of June, 2009, to certify  
which witness my hand and seal of office.

Sabrina Resendez  
NOTARY PUBLIC, STATE OF TEXAS

seal



**T. W. LAQUAY DREDGING, INC.  
PORT LAVACA, TEXAS**

DREDGE: John C. Larimer JOB: 772 CONTRACT#: W912 H4 09-6-0004B  
DATE: 03/27/2009 CAPTAIN: J. Gant PROJECT: Port of Fort Anthony Docks  
STATION: \_\_\_\_\_ TO STATION: \_\_\_\_\_ ADVANCE THIS DAY: \_\_\_\_\_ TOTAL ADVANCE TO DATE: \_\_\_\_\_  
RUNNING TIME: \_\_\_\_\_ DOWN TIME: \_\_\_\_\_ STANDBY TIME: \_\_\_\_\_ WIND: \_\_\_\_\_  
WIDTH OF CUT: \_\_\_\_\_ DEPTH OF CUT: \_\_\_\_\_ WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL: \_\_\_\_\_ INCHES  
TIDE INFORMATION: 06:00; 12:00; 18:00; 24:00  
FUEL ON BOARD: 32400 FUEL USED THIS DATE: 100 FUEL IN FUEL BARGE: add 22,125  
RPM: \_\_\_\_\_ WATER VACUUM: \_\_\_\_\_ PRESSURE: \_\_\_\_\_ TYPE CUTTER: \_\_\_\_\_

**CUBIC YARDS REMOVED:**

AMOUNT DREDGED THIS DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
AMOUNT PREVIOUSLY REPORTED: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
TOTAL AMOUNT DREDGED TO DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: \_\_\_\_\_ LENGTH OF WELDED LINE: \_\_\_\_\_ LENGTH OF SHORELINE: \_\_\_\_\_  
TOTAL LENGTH OF LINE: \_\_\_\_\_ HEIGHT OF DISCHARGE: \_\_\_\_\_ TOTAL PIPE ON PROJECT: \_\_\_\_\_

DREDGE PLACEMENT AREA USED: \_\_\_\_\_ OPEN BAY? \_\_\_\_\_ CONFINED AREA? \_\_\_\_\_

CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL: \_\_\_\_\_ SAND: \_\_\_\_\_ CLAY: \_\_\_\_\_ MUD: \_\_\_\_\_ SILT: \_\_\_\_\_ HARDPAN: \_\_\_\_\_

STONE: \_\_\_\_\_ SHELL: \_\_\_\_\_ OTHER: \_\_\_\_\_ CHARACTER OF WORK-(NEW WORK) and/or (MAINTENANCE)

\*\*\*\*\*  
126-01100

LEVERMAN 1600Z 1/23 TIME: 1800Z STATION: TO STATION:

\*\*\*\*\*

CODE: T-LOST TIME ON TOWS; P-LOST TIME ON PONTOON LINE; A-LOST TIME ON MOVING ANCHORS; E-LOST TIME IN ENGINE ROOM

TIME | TIME | DOWN TIME | EXPLANATION | TIME | TIME | DOWN TIME | EXPLANATION

Stand by on dredge

waiting tree and  
had eaten

**ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED:**



**T. W. LAQUAY DREDGING, INC.  
PORT LAVACA, TEXAS**

DREDGE: John C. Lawrence JOB: 173 CONTRACT#: W912 H7-09-C-0011  
DATE: 03/29/2009 CAPTAIN: J. Canto PROJECT: LPS Liquid-Care Docks  
STATION: 117 + 475 TO STATION: 318 2000 ADVANCE THIS DAY: 525 TOTAL ADVANCE TO DATE: \_\_\_\_\_  
RUNNING TIME: 10:00 DOWN TIME: 1:31:10 STANDBY TIME: \_\_\_\_\_ WIND: \_\_\_\_\_  
WIDTH OF CUT: 73.0 DEPTH OF CUT: 37' TIDE WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL: \_\_\_\_\_ INCHES.  
TIDE INFORMATION: 06:00; 12:00; 18:00; 24:00;  
FUEL ON BOARD: 29,200 FUEL USED THIS DATE: 15,000 FUEL IN FUEL BARGE: \_\_\_\_\_

### CUBIC YARDS REMOVED.

AMOUNT DREDGED THIS DATE: (16,210) - 8,108 NET. GROSS: \_\_\_\_\_ C.Y. PER HR. \_\_\_\_\_  
AMOUNT PREVIOUSLY REPORTED: \_\_\_\_\_ NET. GROSS: \_\_\_\_\_ C.Y. PER HR. \_\_\_\_\_  
TOTAL AMOUNT DREDGED TO DATE: \_\_\_\_\_ NET. GROSS: \_\_\_\_\_ C.Y. PER HR. \_\_\_\_\_

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: 1500 LENGTH OF WELDED LINE: 1000 LENGTH OF SHORELINE: \_\_\_\_\_

**NAME OF ELEMENTS OR UNIT**      **VEHICLES OR DISCHARGE:**      **TOTAL FEE ON PROJECT:**

TOTAL LENGTH OF LINE: \_\_\_\_\_ HEIGHT OF DISCHARGE: \_\_\_\_\_ TOTAL PIPE ON PROJECT: \_\_\_\_\_

CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL:     SAND:     CLAY:     MUD:     SILT:     HARDPAN: \_\_\_\_\_

**CHARACTER OF WORKING & MAINTENANCE OF EQUIPMENT**

STONE: \_\_\_\_\_ SHELL: \_\_\_\_\_ OTHER: \_\_\_\_\_ CHARACTER OF WORK-(NEW WORK) and/or (MAINTENANCE)

\*\*\*\*\* 8-1 \*\*\*\*\* 060200Z JUN 71 TO STATION 117-6791 TO STATION .

LEVERMAN: 10042045 TIME: 1101 STATION: 111-00 TO STATION: 1946010

LEVERMAN: *as leverman* TIME: *100*, STATION:  TO STATION:

CODE: T-LOST TIME ON TOWS; P-LOST TIME ON PONTOON LINE; A-LOST TIME ON MOVING ANCHORS; E-LOST TIME IN ENGINE ROOM.

---

**TIME**    **TIME**    **DOWN TIME**    **EXPLANATION**    **TIME**    **TIME**    **DOWN TIME**    **EXPLANATION**

~~Stopped Started HRS. MIN. Stopped Started HRS. MIN.~~ ~~40 Anchors~~

TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION	TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION
2010	0620	10	Axx2			40	ANCHORS
0300	0310	10	Axx2				
0623	0630	30	PASS TOW IN				
0210	=		EN LENGTH ON DUMP			87	ARRANGING NO DEDUCE
			RELEASE				
0200						30	SEAL
0510	0520	10	CHECK MAIN C.R.C. CHANGE 31B SPUD WRENCH ADD 500' FLOATING LINE ADD REDUCER ON END.				
2020	1100	10	AD OF PIPE AT DUMP.			10	LAST TIME
0200	2210	10	Axx2			50	RUNNING TIME
3500	2400	10	Axx2				
						40	A
						30	IN BOUND TOW
						1200	REPAIRS

**ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED:**







**T. W. LAQUAY DREDGING, INC.  
PORT LAVACA, TEXAS**

DREDGE: John C. LaGuardia JOB: 174 CONTRACT#: W91Z-HY-09-C-0011  
DATE: 04/02/2012 CAPTAIN: J. Carlos PROJECT: General Corpsa DOCK  
STATION: 116 + 6'50" TO STATION: 117 - 4'50" ADVANCE THIS DAY: 800' TOTAL ADVANCE TO DATE:  
RUNNING TIME: 17:15 DOWN TIME: 6:45 STANDBY TIME: WIND:  
WIDTH OF CUT: 70 DEPTH OF CUT: 38 + Tide WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL: INCHES  
TIDE INFORMATION: 06:00; 12:00; 18:00; 24:00  
FUEL ON BOARD: 15335 FUEL USED THIS DATE: 3075 FUEL IN FUEL BARGE:  
WATER VACUUM: PRESSURE: 140 TYPE CUTTER:

**CUBIC YARDS REMOVED:**

AMOUNT DREDGED THIS DATE: 18,000 NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
AMOUNT PREVIOUSLY REPORTED: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
TOTAL AMOUNT DREDGED TO DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: 1500 LENGTH OF WELDED LINE: \_\_\_\_\_ LENGTH OF SHORLINE: 6000

TOTAL LENGTH OF LINE: 1000 HEIGHT OF DISCHARGE: \_\_\_\_\_ TOTAL FIRE ON PROJECT: \_\_\_\_\_

DREDGE PLACEMENT AREA USED: OPEN BAY CONFINED AREA

CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL: \_\_\_\_\_ SAND: \_\_\_\_\_ CLAY: \_\_\_\_\_ MUD: \_\_\_\_\_ SILT: \_\_\_\_\_ HARDPAN: \_\_\_\_\_

STONE: \_\_\_\_\_ SHELL: \_\_\_\_\_ OTHER: \_\_\_\_\_ CHARACTER OF WORK (NEW WORK) and/or (MAINTENANCE)

\*\*\*\*\*~~CONFIDENTIAL~~\*\*\*\*\*

LEVERMAN: I Ganzales TIME: 1:30; STATION: WLS TO STATION: WMAQ

LEVERMAN: 10 Horatio TIME: 660; STATION \_\_\_\_\_ TO STATION: \_\_\_\_\_

CODE: P-LOST TIME ON TOWS; P-LOST TIME ON FORTY ONE LINE, A-LOST TIME ON NO VENUE PLATES, B-LOST

TIME Stopped	TIME Started	DOWN TIME	EXPLANATION	TIME Stopped	TIME Started	DOWN TIME	EXPLANATION
		HRS. MIN.				HRS. MIN.	

TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION	TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION
0000	0000	50	Breach Petroleum line at tool			50	Anchors
1350	1330	30	Rule bridge General line Jack				
0330	0610	2	Stop by on infarcto Shift			30	work dredge
1010	1110	10	Clean Pump				
1140	1155	15	Check Engs. Grease			3	04 Two Eng
1115	1445	35	Clean Pump (metals)				
1630	1640	10	move Part Dredge			40	Engine Room
1715	1730	15	Clean Pump				
0000	0010	10	AX2			1	Trash in Pump
1100	2130	20	Trash in Pump Back				
2100	2250	10	AX2				
						17 15	working time
						6 45	Last time

---

**ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED:**

**T. W. LAQUAY DREDGING, INC.  
PORT LAVACA, TEXAS**

DREDGE John C. 120027 JOB: 175 CONTRACT#: W912HY-C-0011  
DATE: 04/03/2007 CAPTAIN: Conrad PROJECT: General Corps Dredge  
STATION: 177 + 450 TO STATION: 177 750 ADVANCE THIS DAY: 300 TOTAL ADVANCE TO DATE: \_\_\_\_\_  
RUNNING TIME: 12:25 DOWN TIME: 11:35 STANDBY TIME: \_\_\_\_\_ WIND: \_\_\_\_\_  
WIDTH OF CUT: 70 DEPTH OF CUT: 38 ft Tid WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL: \_\_\_\_\_ INCHES  
TIDE INFORMATION: \_\_\_\_\_ 06:00; \_\_\_\_\_ 12:00; \_\_\_\_\_ 18:00; \_\_\_\_\_ 24:00  
FUEL ON BOARD: 13,575 FUEL USED THIS DATE: 1800 FUEL IN FUEL BARGE: \_\_\_\_\_

**CUBIC YARDS REMOVED:**

AMOUNT DREDGED THIS DATE: 15,000 NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR \_\_\_\_\_  
AMOUNT PREVIOUSLY REPORTED: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR \_\_\_\_\_  
TOTAL AMOUNT DREDGED TO DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR \_\_\_\_\_

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: 1500 LENGTH OF WELDED LINE:            LENGTH OF SHORLINE: 6000

TOTAL LENGTH OF LINE: 7500 HEIGHT OF DISCHARGE: TOTAL PIPE ON PROJECT:

DREDGE PLACEMENT AREA USED: **OPEN BAY?** **CONFINED AREA?**

CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL: SAND: CLAY: MUD: SILT: HARDPAN:

CHARACTER OF MATERIAL & PERCENTAGE OF BLACK, GRAY, & WHITE COLOR IN THE WORK, AND THE PERCENTAGE OF BLACK, GRAY, & WHITE IN THE DUST.

STONE: \_\_\_\_\_ SHELL: \_\_\_\_\_ OTHER: \_\_\_\_\_ CHARACTER OF WORK (NEW WORK) AND OR (REPAIRS) \_\_\_\_\_

EVERMAN, C. J. - 107 TIME: 020555 - 100 STATION: TO STATION:

TIME: 100<sup>3</sup> SEPARATION TO STATION:

LEVERMAN, AL FREDERIC, TIME 12:00, STATION 10, TO STATION.

\*\*\*\*\*

CODE: T-LOST TIME ON TOWS; P-LOST TIME ON PONTOON LINE; A-LOST TIME ON MOVING ANCHORS; E-LOST TIME IN ENGINE ROOM.

\*\*\*\*\* TIME | TIME || DOWN TIME | \*\*\*\*\* TIME | TIME || DOWN TIME | \*\*\*\*\*

**EXPLANATION**

TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION	TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION
0100 0028		10 AX2				20	Anchors
2 200240		20	Trash in Pump				
00 0310		10	AX2			45	Trash in Pump
5:45 07/15	1	30	2 SHIPS OUT TO SEA			4 30	017 Traffic
8:20 07/15		25	CLEAR MAIN PUMP you out move dredge to			3 00	ENGINE ROOM
08 45			LIAUD PELAISIEN NORTH				
	0930	0	40 STOP STA. QC 121724Z0414				
1110			SHIP IN TO LPN LIAUD COPS				
=	=	1 30	Move Dredge to LPN				
=	=		Move Dredge to LPN				
1240 19/10	1	30	LIAUD COPS Dock to SWIFTS				
1240 19/10		30	CLEAR main Pump (ROCKS)				
1320 20/10	1	30	MOVE dredge to VACUUM LPN			12 25	running Time
			IN BAWAN SHIPS				
1400 20/10	3 00		Engines Room			11 35	lost Time

**ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED**

START UP STA LPM 117-316  
START UP STA LPS 117-300

**T. W. LAQUAY DREDGING, INC.  
PORT LAVACA, TEXAS**

DREDGE: John C. LaDow JOB: 174 CONTRACT#: 0912 HX-5-0211  
DATE: 04/04/2007 CAPTAIN: J. Carter PROJECT: LPS Lillard Carg. & Dredg. Barge Basin  
STATION: 1174300 TO STATION: 1184200 ADVANCE THIS DAY: 900 TOTAL ADVANCE TO DATE: \_\_\_\_\_  
RUNNING TIME: 20:05 DOWN TIME: 03:55 STANDBY TIME: \_\_\_\_\_ WIND: \_\_\_\_\_  
WIDTH OF CUT: 250 DEPTH OF CUT: 37' 11" WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL: INCHES.  
TIDE INFORMATION: 06:00; 12:00; 18:00; 24:00;  
FUEL ON BOARD: 10,650 FUEL USED THIS DATE: 3,925 FUEL IN FUEL BARGE: \_\_\_\_\_  
RPM: 295 WATER VACUUM: \_\_\_\_\_ PRESSURE: 140 TYPE CUTTER: \_\_\_\_\_

**CUBIC YARDS REMOVED:**

AMOUNT DREDGED THIS DATE: 25,000 NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
AMOUNT PREVIOUSLY REPORTED: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
TOTAL AMOUNT DREDGED TO DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: 1500 LENGTH OF WELDED LINE: \_\_\_\_\_ LENGTH OF SHORELINE: 6000

TOTAL LENGTH OF LINE: 756 C HEIGHT OF DISCHARGE: \_\_\_\_\_ TOTAL PIPE ON PROJECT: \_\_\_\_\_

DREDGE PLACEMENT AREA USED: 19 OPEN BAY?  CONFINED AREA?

CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL: SAND: CLAY: MUD: SILT: HARDPAN:

**CHARACTER OF WORK (NEW WORK) and/or (MAINTENANCE)**

\*\*\*\*\*

LEVERMAN: *L 18-5123-145* TIME: *0600* STATION: *11300* TO STATION: \_\_\_\_\_

LEVITMAN, 10 1/2-11, 2 - TIME, 1955-2-26-2 STATION TO STATION:

LEVERMAN, *et al.* / *Journal of Clinical Psychopharmacology*, Vol. 27, No. 4, November 2003 431-436

CODE: T-LOST TIME ON TOWS; P-LOST TIME ON PONTOON LINE; A-LOST TIME ON MOVING ANCHORS; B-LOST TIME IN ENGINE ROOM.

\*\*\*\*\* TIME || DOWN TIME | \*\*\*\*\* TIME || DOWN TIME | \*\*\*\*\* TIME || DOWN TIME | \*\*\*\*\*

**EXPLANATION**

**ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED:**



**T. W. LAQUAY DREDGING, INC.  
PORT LAVACA, TEXAS**

DREDGE: John C. LaDoy JOB: 144 CONTRACT #: 00912 HX-C 0011  
 DATE: 04/06/2009 CAPTAIN: J. Carter PROJECT: LPS Liquid Carbonate North Basin  
 STATION: 1474550 TO STATION: 1187700 ADVANCE THIS DAY: 700 TOTAL ADVANCE TO DATE: \_\_\_\_\_  
 RUNNING TIME: 20:35 DOWN TIME: 3:25 STANDBY TIME: \_\_\_\_\_ WIND: \_\_\_\_\_  
 WIDTH OF CUT: 350 DEPTH OF CUT: 40 + Tide WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL: INCHES.  
 TIDE INFORMATION: 06:00; 12:00; 18:00; 24:00;  
 FUEL ON BOARD: 24,900 FUEL USED THIS DATE: 3525 FUEL IN FUEL BARGE: \_\_\_\_\_  
 RPM: 750 WATER VACUUM: \_\_\_\_\_ PRESSURE: 140 - 150 TYPE CUTTER: \_\_\_\_\_

**CUBIC YARDS REMOVED:**

AMOUNT DREDGED THIS DATE: 39,000 NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
AMOUNT PREVIOUSLY REPORTED: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
TOTAL AMOUNT DREDGED TO DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: 1500 LENGTH OF WELDED LINE: 6000  
TOTAL LENGTH OF LINE: 7500 HEIGHT OF DISCHARGE: 19 TOTAL PIPE ON PROJECT: \_\_\_\_\_  
DREDGE PLACEMENT AREA USED: OPEN BAY? CONFINED AREA?  
CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL: 10% SAND: 10% CLAY: 10% MUD: 10% SILT: 10% HARDPAN: 10%  
STONE: 10% SHELL: 10% OTHER: 10% CHARACTER OF WORK (NEW WORK) and/or (MAINTENANCE)

LEVERMAN: *Gonzales* TIME: *0600Z* STATION: *167F730* TO STATION:  
LEVERMAN: *Kyle* TIME: *1700Z* STATION: *167F730* TO STATION:

CODE: T-LOST TIME ON TOWS; P-LOST TIME ON PONTOON LINE; A-LOST TIME ON MOVING ANCHORS; E-LOST TIME IN ENGINE ROOM.							
TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION	TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION
0200	0112	10	RX2			1	00 Anchors.
2350	0404	10	RX2				
38:30	0700	10	Moving SWING ANCHORS			1	25 in Bowser ship
2:55			FIX LEAK IN PIPE LINE				
-	13:50	1HR	00 GREASE. Clean main pump			1	00 Troubles in pump
1:55	14:05	10	Moving ANCHORS				
7:05	14:30	1	25 SHIP INTO EPS. Line up				
010	2026	10	RX2				
2 Mr 27 50		10	RX2			20	35 Remains Tissue
						3	25 LAST Tissue

**ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED:**

T. W. LAQUAY DREDGING, INC.  
PORT LAVACA, TEXAS

DREDGE: John C <sup>12000</sup> JOB: 117 CONTRACT#: W912 HY-C-0011  
 DATE: 04/07/2009 CAPTAIN: G. Conde PROJECT: LPS <sup>113</sup> 100' x 20' Corbo dock  
 STATION: 118 + 250 TO STATION: ADVANCE THIS DAY: 650 TOTAL ADVANCE TO DATE:  
 RUNNING TIME: 17:25 DOWN TIME: 6:35 STANDBY TIME: WIND: 5-10 Sust  
 WIDTH OF CUT: 210 DEPTH OF CUT: 40 ft Tide WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL INCHES.  
 TIDE INFORMATION: 06:00 12:00 18:00 24:00;  
 FUEL ON BOARD: 221.275 FUEL USED THIS DATE: 2.625 FUEL IN FUEL BARGE: water 9355  
 RPM: 750 WATER VACUUM: PRESSURE: 140-150 TYPE CUTTER:

**CUBIC YARDS REMOVED:**

AMOUNT DREDGED THIS DATE: 25,000 NET: GROSS: C.Y. PER HR.

AMOUNT PREVIOUSLY REPORTED: NET: GROSS: C.Y. PER HR.

TOTAL AMOUNT DREDGED TO DATE: NET: GROSS: C.Y. PER HR.

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: 150 LENGTH OF WELDED LINE: LENGTH OF SHORELINE: 6000

TOTAL LENGTH OF LINE: 7300 HEIGHT OF DISCHARGE: TOTAL PIPE ON PROJECT:

DREDGE PLACEMENT AREA USED: 14 OPEN BAY? CONFINED AREA?

CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL: SAND: CLAY: MUD: ✓ SILT: ✓ HARDPAN: ✓

STONE: SHELL: OTHER: CHARACTER OF WORK-(NEW WORK) and/or (MAINTENANCE)

\*\*\*\*\*

LEVERMAN: G. Conde TIME: 0500; STATION 118 + 350 TO STATION:

LEVERMAN: N. Herren TIME: 0500; STATION TO STATION:

\*\*\*\*\*

CODE: T=LOST TIME ON TOWS; P=LOST TIME ON PONTOON LINE; A=LOST TIME ON MOVING ANCHORS; E=LOST TIME IN ENGINE ROOM.

\*\*\*\*\*

TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION	TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION
00:00 00:00		55	in bound Tack			30	Anchors
12:30 02:00		38	work on pump				
13:00 03:00		30	Trash on Pump			3:55	Trash on Pump
15:00 06:16	1	15	trash on PUMP (Tires)				
08:30 09:30		45	move Pipeline Close			1:00	move line on back
12:20 10:00	1:15	10	TO FINISH LPV. GREASE			55	move line in front to
13:30 04:40		50	OPEN LINE FOR TOW OUT			1:15	Set dredge Back
06:00 14:00	1	30	CLEAN MAIN PUMP (Tires)				
12:00 14:00	1	30	MOVE Dredge BACK			7:30	
1:00 20:10	10	4X7					
2:00 20:10	10	4X9					
13:30 24:00	10	4X7					

S/A 118 + 250 TO S/A 118 + 500 = 250

S/A 118 + 350 TO S/A 117 + 150 400 Super Pass

ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED:

118 + 300 Trash on the corner  
on starb- side



T. W. LAQUAY DREDGING, INC.  
PORT LAVACA, TEXAS

DREDGE: John C LaQuay JOB: 174 CONTRACT#: W912 HX C - 0011  
 DATE: 04/09/2009 CAPTAIN: J. Confer PROJECT: General Concre docet  
 STATION: 117+700 TO STATION: 118+200 ADVANCE THIS DAY: 500 TOTAL ADVANCE TO DATE: \_\_\_\_\_  
 RUNNING TIME: 07:25 DOWN TIME: 16:35 STANDBY TIME: 5wsp 15:15 WIND: \_\_\_\_\_  
 WIDTH OF CUT: \_\_\_\_\_ DEPTH OF CUT: 40+ Tides WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL: \_\_\_\_\_ INCHES.  
 TIDE INFORMATION: \_\_\_\_\_ 06:00; \_\_\_\_\_ 12:00; \_\_\_\_\_ 18:00; \_\_\_\_\_ 24:00;  
 FUEL ON BOARD: 1500 FUEL USED THIS DATE: 900 FUEL IN FUEL BARGE: \_\_\_\_\_  
 RPM: 750 WATER VACUUM: \_\_\_\_\_ PRESSURE: 145 TYPE CUTTER: \_\_\_\_\_

**CUBIC YARDS REMOVED:**

AMOUNT DREDGED THIS DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
 AMOUNT PREVIOUSLY REPORTED: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.  
 TOTAL AMOUNT DREDGED TO DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: 1500 LENGTH OF WELDED LINE: \_\_\_\_\_ LENGTH OF SHORELINE: 6000  
 TOTAL LENGTH OF LINE: 7500 HEIGHT OF DISCHARGE: \_\_\_\_\_ TOTAL PIPE ON PROJECT: \_\_\_\_\_  
 DREDGE PLACEMENT AREA USED: 19 OPEN BAY? \_\_\_\_\_ CONFINED AREA? \_\_\_\_\_  
 CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL: \_\_\_\_\_ SAND: \_\_\_\_\_ CLAY: \_\_\_\_\_ MUD: \_\_\_\_\_ SILT: \_\_\_\_\_ HARDPAN: \_\_\_\_\_  
 STONE: \_\_\_\_\_ SHELL: \_\_\_\_\_ OTHER: \_\_\_\_\_ CHARACTER OF WORK-(NEW WORK) and/or (MAINTENANCE)  
 \*\*\*\*\*  
 LEVERMAN: 1 Goz 26/05 TIME: 00:00:00; STATION \_\_\_\_\_ TO STATION: \_\_\_\_\_  
 LEVERMAN: 10 Horner 05 TIME: 18:00:00; STATION \_\_\_\_\_ TO STATION: \_\_\_\_\_  
 \*\*\*\*\*

CODE: T-LOST TIME ON TOWS; P-LOST TIME ON PONTOON LINE; A-LOST TIME ON MOVING ANCHORS; E-LOST TIME IN ENGINE ROOM.  
 \*\*\*\*\*  

TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION	TIME Stopped	TIME Started	DOWN TIME HRS. MIN.	EXPLANATION
00:00			STANDBY				20 min for 5
-			Moving dredge to LPS				
15:15	15:15		To start up				15:15 Standby
17:00	17:00	1:00	C22 Tows move dredge			1:00	move dredge to LPS
17:20	17:20	.10	18x2				
21:00	21:00	.10	A.W.				
				7	25		Runners Time
				16:35			Lost Time

ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED:

START UP STA LPS 117+700 to sta 118+200

**T. W. LAQUAY DREDGING, INC.**

**PORT LAVACA, TEXAS**

DREDGE: John C. LaQuard JOB: 174 CONTRACT #: CW 912 NY-C-0011  
DATE: 04/16/2009 CAPTAIN: J. Contra PROJECT: LPS Dock & General Caisse de Caisse  
STATION: 184+200 TO STATION: 184+500 ADVANCE THIS DAY: 600 TOTAL ADVANCE TO DATE: \_\_\_\_\_  
RUNNING TIME: 08:45 DOWN TIME: 15:45 STANDBY TIME: \_\_\_\_\_ WIND: \_\_\_\_\_  
WIDTH OF CUT: \_\_\_\_\_ DEPTH OF CUT: \_\_\_\_\_ WEATHER: (CLEAR) (P. CLOUDY) (CLOUDY) RAINFALL \_\_\_\_\_ INCHES  
TIDE INFORMATION: \_\_\_\_\_ 06:00; \_\_\_\_\_ 12:00; \_\_\_\_\_ 18:00; \_\_\_\_\_ 24:00  
FUEL ON BOARD: 169.95 FUEL USED THIS DATE: 1950 FUEL IN FUEL BARGE: \_\_\_\_\_  
RPM: 750 WATER VACUUM: \_\_\_\_\_ PRESSURE: 140 TYPE CUTTER: \_\_\_\_\_

**CUBIC YARDS REMOVED:**

AMOUNT DREDGED THIS DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.

AMOUNT PREVIOUSLY REPORTED: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.

TOTAL AMOUNT DREDGED TO DATE: \_\_\_\_\_ NET: \_\_\_\_\_ GROSS: \_\_\_\_\_ C.Y. PER HR.

**DISCHARGE PIPELINE INFORMATION:**

LENGTH OF PONTOON LINE: 15'-00 LENGTH OF WELDED LINE:            LENGTH OF SHORELINE: 6000

TOTAL LENGTH OF LINE: \_\_\_\_\_ HEIGHT OF DISCHARGE: \_\_\_\_\_ TOTAL PIPE ON PROJECT: \_\_\_\_\_

DREDGE PLACEMENT AREA USED: \_\_\_\_\_ OPEN BAY? \_\_\_\_\_ CONFINED AREA? \_\_\_\_\_

CHARACTER OF MATERIAL & PERCENTAGE OF EACH: GRAVEL:  SAND:  CLAY:  MUD:  SILT:  HARDPAN:

STONE: \_\_\_\_\_ SHELL: \_\_\_\_\_ OTHER: \_\_\_\_\_ CHARACTER OF WORK-(NEW WORK) and/or (MAINTENANCE)

LEVERMAN, Corinna TIME: 6/13/13, STATION: TO STATION:

LEVERMAN: as requested TIME: 11:00, STATION \_\_\_\_\_ TO STATION: \_\_\_\_\_

\*\*\*\*\*

CODE - F-LOST TIME ON TOWS; F-LOST TIME ON PONTOON LINE, ALSO TIME ON NAVIGATION CHANNELS, ETC. TIME IN ENCL. ROOCE

TIME Started	TIME HRS : MIN.	DOWNTIME HRS : MIN.	EXPLANATION	TIME Stopped	TIME Started	DOWNTIME HRS : MIN.	EXPLANATION
-----------------	--------------------	------------------------	-------------	-----------------	-----------------	------------------------	-------------

**ADDITIONAL NOTES AND/OR VERBAL INSTRUCTIONS RECEIVED:**

## START UP ECD MGT

# THE PORT of Port Lavaca - Point Comfort

Calhoun County Navigation District

P.O. Box 397 • FM 1593 South • Point Comfort, Texas 77978

(361) 987-2813 • Fax (361) 987-2189 • E-Mail: port@lscd.net • Visit our website at www.portofplpc.com

PORT OPERATIONS ACCOUNT

First National Bank in Port Lavaca  
Port Lavaca, Texas

88-2318  
1131

CHECK 024754  
24754

PAY \*\*\*\*Twenty Four Thousand Two Hundred and 00/100 Dollars

TO THE  
ORDER OF

DATE 6/7/2010 AMOUNT \$24,200.00

T.W. LaQuay Dredging, Inc.  
12000 Aerospace  
Suite 300  
Houston, TX 77034  
USA

AUTHORIZED SIGNATURE

NON-NEGOTIABLE

AUTHORIZED SIGNATURE

#024754P 66131331626 001 329 385

Payee T.W. LaQuay Dredging, Inc.  
Vendor ID TVL001  
CALHOUN COUNTY NAVIGATION DISTRICT

Account #:

CHECK 024754

Invoice	Invoice Date	Description	Discount	Amount to Pay
09-012.5	3/1/2010	Dredging-Fire pumps	\$0.00	\$24,200.00

Total: \$0.00 \$24,200.00

CALHOUN COUNTY NAVIGATION DISTRICT  
PORT OPERATIONS ACCOUNT CHECK VOUCHER

BUDGET ACCOUNT:      5460-10115      *546175 Dredging*  
                          5460-50115      Maintain/Repair Buildings & Facilities - GR  
                          5460-50115      Maintain/Repair Buildings & Facilities - PEGR

CHECK AMOUNT:      \$24,200.00  
=====

PAID TO:      TW LaQuay      FOR:      Dredging

VOUCHER PREPARED BY:      MM      REVIEWED BY: *2016-3-10*

FUND ALLOCATION:      DATE:      5/15/2009 -?

GROSS REVENUE:      \$6,050.00      PO#:  
MAINT. & OPERATIONS:      ACCT #:  
PORT EXP. GROSS REV.      \$18,150.00  
BUSINESS DEVELOP.:  
AN/NH3 OPERATING:  
OTHER:

=====

\$24,200.00

=====

DOCUMENT NO. 00415

CONTRACTOR'S CORPORATE RESOLUTION

I hereby certify that it was RESOLVED by a quorum of the directors of

T. W. LAQUAY DREDGING, INC.  
(Name of Corporation)

meeting on the 11TH day of NOVEMBER, 2008,

that T.W. LAQUAY, PRESIDENT, be,  
(Name of Principal) (Title)

and hereby is, authorized to execute all documents necessary for the transaction of business in the  
State of Texas on behalf of the said T. W. LAQUAY DREDGING, INC., and  
(Name of Corporation)

That the above resolution was unanimously ratified by the Board of Directors at said meeting and  
that the resolution has not been rescinded or amended and is now in full force and effect; and in  
authentication of the adoption of this resolution, I subscribe my name this 11TH day  
of NOVEMBER, 2008.

Linda LaQuay  
Secretary

END OF DOCUMENT

00415-1

T.W. LaQuay Dredging, Inc.

PO Box 24  
619 Bayview Drive  
Port Lavaca, TX 77979

# Invoice

Date	Invoice #
5/15/2009	09-012,5

Bill To
Calhoun Port Authority P. O. Box 397 Point Comfort, Texas 77978

P.O. No.	Terms	Project
Job 161 Inv. 1	Net 10 after receipt	

Quantity	Description	Rate	Amount
1	lump sum quote to dredge in front of fire pumps. Purchase Order # 3148 Sales Tax	24,200.00 8.25%	24,200.00 0.00
			<b>Total</b> \$24,200.00



**THE PORT of  
Port Lavaca - Point Comfort**

CALHOUN COUNTY NAVIGATION DISTRICT

P.O. Box 397  
Point Comfort, Texas 77978  
(361) 987-2813  
Fax (361) 987-2189

PURCHASE ORDER

003148

VENDOR CODE

**purchase order**

SHIP TO:

T.W. LaQuay Dredging, Inc.  
P.O. Box 24  
Port Lavaca, Texas 77979  
ATTN: Tim LaQuay  
(361) 552-2010

P.O. DATE	SHIP VIA	F.O.B.	TERMS
5-16-07			Net 30

QTY. REQ.	ITEM NO.	DESCRIPTION	UNIT COST	EXTENDED COST
	1	Perform Dredging Operation Under Port Salt Water Fire Pumps During 2007 Maint. Dredging Cycle Within Harbor Per Proposal Dated May 10, 2007		\$24,200.00

Tax Exempt

Mickey Sappington

Ordered by

R.H. Van Borssum

Authorized by

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we  
T. W. LAQUAY DREDGING, INC.; 619 BAYVIEW DRIVE; PORT LAVACA, TX 77979

as Principal, hereinafter called the Principal, and  
HARTFORD FIRE INSURANCE COMPANY; HARTFORD PLAZA; HARTFORD, CT 06115

a corporation duly organized under the laws of the State of CONNECTICUT  
as Surety, hereinafter called the Surety, are held and firmly bound unto

as Obligee, hereinafter called the Obligee, in the sum of FIVE PERCENT OF THE AMOUNT BID  
Dollars (\$ )

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our  
heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract  
with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the  
bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for  
the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the  
Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference  
not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the  
Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation  
shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 11TH day of NOVEMBER , 2008

Linda LaQuay  
(Witness)

Tracy V. Tatum  
(Witness)

T. W. LAQUAY DREDGING, INC. (Principal)  
T. W. LaQuay  
T. W. LAQUAY (Title) PRESIDENT

HARTFORD FIRE INSURANCE COMPANY (Surety)  
JAMES E. TATUM, JR. (Seal)  
JAMES E. TATUM, JR. Attorney-in-Fact (Title)

# POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-4

690 ASYLUM AVENUE

HARTFORD, CONNECTICUT 06115

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 21-252879

KNOW ALL PERSONS BY THESE PRESENTS THAT:

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint,  
up to the amount of unlimited:

James E. Tatum, Jr., Tracy V. Tatum  
of  
Gulf Shores, AL

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on July 21, 2003 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



*Paul A. Bergenholz*

Paul A. Bergenholz, Assistant Secretary

*David T. Akers*

David T. Akers, Assistant Vice President

STATE OF CONNECTICUT }  
ss. Hartford  
COUNTY OF HARTFORD }

On this 4th day of August, 2004, before me personally came David T. Akers, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hampden, Commonwealth of Massachusetts; that he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

*Scott B. Paseka*

Notary Public

My Commission Expires October 31, 2007

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of , 2007.

Signed and sealed at the City of Hartford.



*Gary W. Stumper*

Gary W. Stumper, Assistant Vice President

DOCUMENT NO. 00300

PROPOSAL

T. W. LAQUAY DREDGING, INC. \_\_\_\_\_, hereinafter called "BIDDER",  
(Legal Firm Name)

is submitting this Proposal for Furnishing and Performing the Work specified herein as the Construction of the 2008 DREDGING PROJECT FOR THE CALHOUN PORT AUTHORITY AT THE PORT OF PORT LAVACA - POINT COMFORT, POINT COMFORT, TEXAS.

This PROPOSAL is Submitted to the CALHOUN PORT AUTHORITY, hereinafter called "OWNER".

1. Terms used in this PROPOSAL are defined in the General Conditions or Document No. 00120 - Instructions to Bidders and shall have the meanings indicated in the General Conditions or Instructions.
2. BIDDER proposes and agrees, if this BID is accepted, to enter into an Agreement with OWNER in the form included in the Contract Documents to furnish and perform all Work as specified or indicated in the Contract Documents for the Bid Price and within the Bid Times indicated in this BID and in accordance with the other terms and conditions of the Contract Documents.
3. BIDDER accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid Security. This BID will remain subject to acceptance for Sixty (60) Calendar Days after the Bid Opening. BIDDER shall sign and deliver the required number of counterparts of the Agreement, including all required documents indicated by the Bidding Requirements, within Fifteen (15) Calendar Days after the date of OWNER's Notice of Award.
4. In submitting this BID, BIDDER represents, as more fully set forth in the Agreement, that:
  - a. BIDDER has examined and carefully studied the Bidding Documents and the following Addenda, receipt of all which is hereby acknowledged: (List Addenda by Addendum Number and Date):  
"NONE"
  - b. BIDDER has visited the site and is familiar and satisfied with the general, local and site conditions that may affect cost, progress, and furnishing and performing the Work.

- c. BIDDER is familiar and satisfied with all federal, state and local Laws and Regulations that may affect cost, progress, and furnishing and performing the Work.
  - d. BIDDER is aware of the general nature of work, if any, to be performed by OWNER (or others) at the site in relation to the Work for which this BID is submitted.
  - e. BIDDER has correlated the information known to BIDDER, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, tests, studies and data with the Contract Documents.
  - f. BIDDER has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that BIDDER has discovered in the Contract Documents, and the written resolution thereof by ENGINEER is acceptable to BIDDER, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for furnishing and performing the Work for which this BID is submitted.
  - g. This BID is GENUINE and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation. BIDDER has not directly or indirectly induced or solicited any other BIDDER to submit a false or sham BID. BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding. BIDDER has not sought by collusion to obtain for itself any advantage over any other BIDDER or over OWNER.
5. BIDDER agrees to complete the Work in accordance with the Contract Documents.
- a. BIDDER acknowledges that the amounts are to be shown in both words and figures, and in case of discrepancy, the amount in words shall govern.
  - b. BIDDER acknowledges that the quantities are not guaranteed and final payment will be based on the actual quantities determined as provided in the Contract Documents.
  - c. BIDDER agrees to do the items of Work as further described below for the associated price(s) indicated.

Furnish all necessary labor, superintendence, plant, machinery, equipment, tools, materials, insurance, services and all other things necessary to complete all the work indicated below and as called for in the Contracts Specifications and as indicated on the Contract Drawings for the amounts set out below.

**BASE BID**

BID ITEM	BID QTY.	DESCRIPTION OF ITEM WITH UNIT PRICE WRITTEN IN WORDS	UNIT PRICE	EXTENSION
1.	1	L.S. Initial project mobilization and demobilization cost for a lump sum price of <u>ONE HUNDRED THOUSAND DOLLARS</u>		
			Dollars and <u>NO</u> Cents	
				\$ <u>100,000.</u> /L.S.
2. <sup>①</sup>	99,615	C.Y. Dredging of approximately 99,615 C.Y. of inner harbor maintenance material from non-federal maintained deep draft ship berth areas of the Liquid Cargo Docks (LPN/LPS) and the General Cargo Dock (GCD). Placement of material to be in C.O.E. PA#19 in compliance with OWNER's Permit 14541 (13) and include all necessary materials, equipment, discharge piping, labor, supervision, placement area improvements, and insurances as directed in the Contract Documents for a unit price of		
			Dollars and <u>FOUR</u> Cents	
			per C.Y. \$ <u>4.25</u> /C.Y. \$ <u>423,363.75</u>	

TOTAL BASE BID to complete the 2008 DREDGING PROJECT FOR THE CALHOUN PORT AUTHORITY AT THE PORT OF PORT LAVACA - POINT COMFORT, POINT COMFORT, TEXAS, being Items 1 and 2, above, is:

FIVE HUNDRED TWENTY THREE THOUSAND THREE HUNDRED DOLLARS  
SIXTY THREE DOLLARS  
AND SEVENTY FIVE CENTS. \$ 523,363.75

① QUANTITIES FOR ITEM 2 ARE FOR ESTIMATING PURPOSES ONLY. PAYMENT QUANTITIES WILL BE BASED ON THE CONTRACT DRAWINGS AND ON CROSS SECTIONS TAKEN BY THE OWNERS ENGINEERS AFTER COMPLETION OF DREDGING. NO PAYMENT WILL BE MADE FOR ANY MATERIAL OUTSIDE THE TEMPLATE SECTIONS.

OWNER's OPTIONS

BID ITEM	UNIT	DESCRIPTION OF ITEM WITH UNIT PRICE WRITTEN IN WORDS	AMOUNT
A.	HR.	Stand by time for Dredge and Auxiliary Equipment AS REQUESTED BY THE OWNER for a unit price of <u>TWO THOUSAND</u> <u>                        </u> Dollars and <u>NO</u> cents per hour.  (DOWNTIME AS A RESULT OF SHIPS OR BARGE MOVEMENT WILL BE CONSIDERED A PART OF THE APPROPRIATE BID ITEM.)	\$ <u>2,000.00/HR.</u>
B.	L.S.	Additional Mobilization and Demobilization <u>IF REQUESTED BY THE OWNER</u> for a lump sum price of <u>ONE HUNDRED THOUSAND</u> <u>                        </u> Dollars and <u>NO</u> cents.	\$ <u>100,000./L.S.</u>

- +++++  
 d. BIDDER acknowledges that pre/post dredge survey performed by successful BIDDER and verified by OWNERS Engineer, will be utilized in calculation of pay quantities.
- e. BIDDER acknowledges that, at OWNER's option and/or at OWNER's request, any of the above quantities may be deleted, reduced, or increased based upon the respective Unit Prices.
- f. All prices shall include all labor, materials, equipment, fuel, supervision, handling, hauling, taxes, overhead, profit, insurance and any and all other things required to complete all of the work described in the contract documents.
- g. BIDDER understands that the OWNER reserves the right to reject any or all bids and to waive any informalities in the bidding.
- h. The BIDDER agrees this BID shall be good and may not be withdrawn for a period of 60 Calendar Days after the scheduled closing time for receiving bids.
- 6: The foregoing Lump Sum is based upon the use of the following subcontractors:  
"NONE"

7. The undersigned hereby affirms and agrees, if awarded the Contract of said work, to commence said work within SIXTY (60) consecutive calendar days after the date of receipt of written notice to proceed, and to completely fulfill all requirements of said work within THIRTY (30) consecutive calendar days following commencement. The work shall be complete and ready for final payment in accordance with paragraph 14.07 of the General Conditions and in the time frame proposed as indicated above in order to avoid contract liquidated damage assessment.

BIDDER accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified in the Agreement.

Owner reserves the right to prioritize Dredging Operation of the Defined Bid Areas as indicated on the contract documents.

8. The following documents are attached to and made a condition of this BID:
- a. Required Bid Security in the form of BID BOND
  - b. A tabulation of Subcontractors, Suppliers and other persons and organizations required to be identified in the BID.
  - c. Document No. 00415 - CONTRACTOR's Corporate Resolution.
9. Bidder acknowledges that special provision may be required under Contract dealing with security measures and safety policy enforced by the OWNER and governing body for this project. Accordingly, work stoppage could result in the event said security status is advised to be raised above normal operation. BIDDER shall take this into consideration and understand that such measures are beyond OWNERS control and furthermore additional compensation for such incidents will be negotiated based on Owner's Option pricing.
10. Communications about this BID shall be directed to BIDDER's address indicated below.

SUBMITTED this 12TH day of NOVEMBER, 2008.

Signed: T. W. LaQuay  
T. W. LAQUAY, PRESIDENT  
T. W. LAQUAY DREDGING, INC.

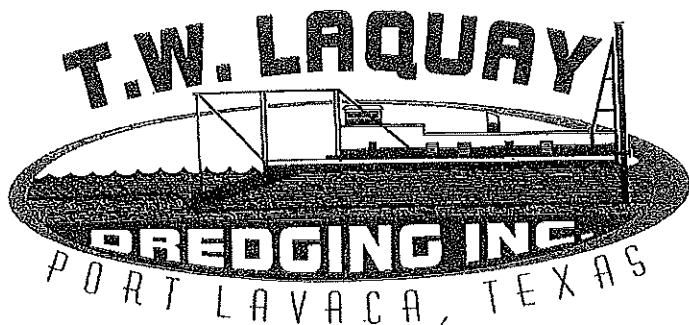
(Printed Name & Title of Person Authorized to Sign)

Attest: Linda LaQuay  
(Secretary)

Legal Firm Name, \_\_\_\_\_  
Address,& Phone No.: T. W. LAQUAY DREDGING, INC.  
P. O. BOX 24  
PORT LAVACA, TEXAS 77979 361-552-2010

State of \_\_\_\_\_  
Incorporation, if applicable, & State Contractor License No.: TEXAS

END OF DOCUMENT



May 10, 2007

G & W Engineers, Inc.  
Attn: Mr. Mickey Sappington  
205 W. Live Oak  
Fax: 361-552-4987  
Port Lavaca, Texas 77979

Re: Dredging under salt water pumps.

Dear Mickey:

This proposal is for the dredging of the materials that is located under the saltwater pumps located at the head of the Navigation Docks at the Port of Point Comfort, as we have discussed.

We propose to use a small swinging ladder dredge to dredge the maintenance material and pump it out for the Dredge "Jason LaQuay" to pick up, or to place that material appx. 200 ft. away on the shelf that is adjacent to the salt water pumps.

If the material is to be pumped any where else, there will have to be a price adjustment.

Our lump sum proposal is \$24,200.00 to perform this work. If for some reason the material is not accessible to the portable dredge, our cost to move to the site, and back to our yard is \$10,000.00.

If you have any questions, or need additional information, do not fail to contact me at 361-552-2010.

Yours truly,

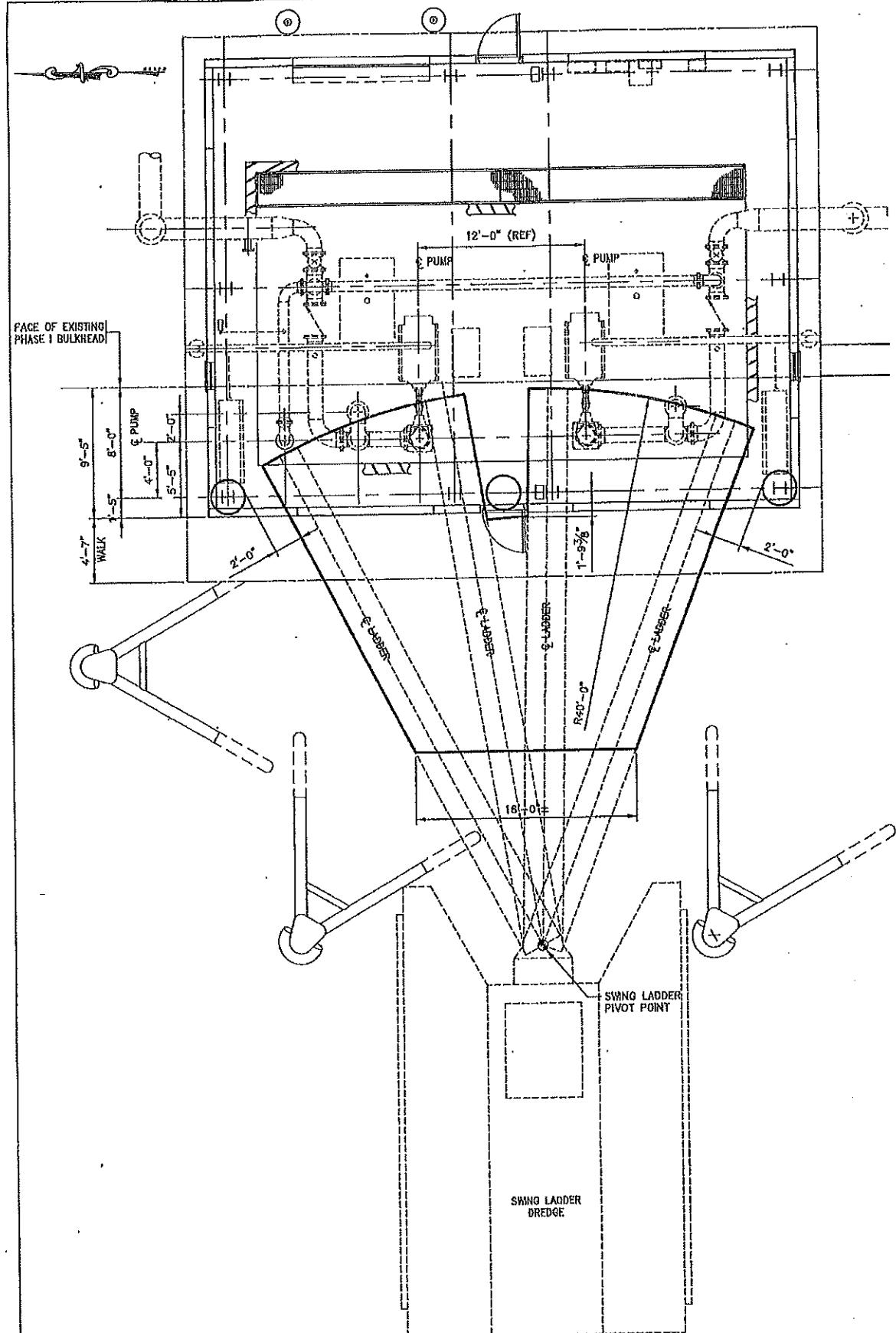
T. W. LAQUAY DREDGING, INC.

T. W. LaQuay  
President

TWL:ll

T. W. LAQUAY DREDGING, INC.

619 BAYVIEW DRIVE • P.O. Box 24 • PORT LAVACA, TEXAS 77979 • 361-552-2010 • FAX 361-552-1960



G & W ENGINEERS, INC.

• ENGINEERING • SURVEYING • ARCHITECTURE • PLANNING

205 W. LIVE OAK ST. PORT LAVACA, TEXAS 77979 (361) 552-4509  
1801 7th ST., SUITE 290 BAY CITY, TEXAS 77414 (979) 323-7100

DOA/DW PV.

Isometric PV.

DRATP

SCALE:

JOB NO.:

DRAWING NO.:

**CALHOUN PORT AUTHORITY  
REGULAR MEETING  
June 9, 2010**

A regular meeting of the Calhoun Port Authority was held on Wednesday, June 9, 2010 at 9:00 a.m. in the Calhoun Port Authority Board Room, Calhoun Port Authority Office, Port Comfort, Texas.

Board Members attending were:

Commissioner # 1 – Shields A. “Tony” Holladay, Sr.  
Commissioner # 2 – Dali R. Weatheraby  
Commissioner # 3 – J.C. Mulcher, Jr.  
Commissioner # 4 – Randy L. Boyd  
Commissioner # 5 – Roger G. Martinez  
Commissioner # 6 – H. C. Wehmeyer, Jr.

Staff Members present were:

Charles R. Haussmann – Port Director  
Wanda Roberts – Port General Counsel  
Forrest Hawes – Deputy Director  
Miranda Mafek – Finance Assistant

Others Present were:

Emily Alton – The Wave  
David Adrian – Matagorda Bay Pilots  
Joe Bokorney – Matagorda Bay Pilots  
Roy Hart – Roy Hart Consulting  
Jeff Smith – Texas Liquid Fertilizer  
Jack Wu – Formosa Plastics Corporation  
Timothy Curl – Global Environmental  
Mark Bateman – Global Environmental  
Ron Loveday – Global Environmental

**Agenda Item No. 1: Call to Order:**

Board Chair Randy L. Boyd called the Regular Meeting to order at approximately 9:00 a.m. He announced that the agenda of the meeting was posted in accordance with the provisions of the Texas Open Meetings Act.

The Pledge of Allegiance was led by Board Chair Randy L. Boyd.

**Agenda Item No. 2: Approve the minutes of the Tuesday, May 11, 2010 Regular Meeting and Tuesday, May 18, 2010 Special Meeting.**

The minutes of the Tuesday, May 11, 2010 Regular Meeting and Tuesday, May 18, 2010 Special Meeting were presented to the Board. Pursuant to further review and discussion, a motion was made by Board Member Tony Holladay to approve the minutes with the changes discussed. Board Secretary H. C. Wehmeyer, Jr. seconded the motion and the motion carried unanimously.

**Agenda Item No. 3: Review of Financial Report of All Funds,**

Deputy Director Forrest Hawes presented the following financial information to the Board Members for Review:

**Fund Balance Report as of May 31, 2010.**

**1.) Accounts Receivable Report as of May 31, 2010**

Mr. Hawes reported to the Board Members that the accounts receivable report specified that the accounts receivable were 89% current as of May 31, 2010.

**Agenda Item No. 4: Approval of Disbursements and Transfers: All Funds**

The Board Members reviewed the June 9, 2010 Port Operations Account disbursements.

Pursuant to review, a motion was made by Board Member Tony Holliday to approve the disbursements and the transfers for June 9, 2010 as presented. The motion was seconded by Board Member Roger G. Martinez and motion carried that the Port Operations Account disbursements Nos. 24698 through 24759 be approved.

CHECK NO.	FUND ACCOUNT	AMOUNT
<b><u>GROSS REVENUE FUND</u></b>		
2010-033	To Port Operations Fund	\$ 8,846.94
2010-034	To Port Operations Fund	7,622.66
2010-036	To Port Operations Fund	84,292.05
	Total	\$100,761.65
<b><u>MAINTENANCE AND OPERATIONS FUND</u></b>		
2010-033	To Port Operations Fund	\$ 2,718.09
2010-034	To Port Operations Fund	2,717.98
2010-036	To Port Operations Fund	2,321.46
	Total	7,759.53
<b><u>BUSINESS DEVELOPMENT FUND</u></b>		
2010-036	To Port Operations Fund	\$ 596.70
	Total	\$ 596.70
<b><u>DEPRECIATION &amp; MAJOR REPAIR FUND</u></b>		
	Total	\$
<b><u>PORT EXPANSION GROSS REVENUE FUND</u></b>		
2010-033	To Port Operations Fund	\$ 23,601.60
2010-034	To Port Operations Fund	22,980.64
2010-036	To Port Operations Fund	130,801.29
	Total	\$177,385.53

AN/NH3 OPERATING FUND

2010-036	To Port Operations Fund	\$ 32,828.67
	Total	\$ 39,838.67

LNG REIMBURSEMENT FUND

Total	
<b>TOTAL TRANSFERS TO PORT OPERATIONS ACCOUNT</b>	<b><u>\$326,342.08</u></b>

INTERFUND TRANSFERS

DATE	FROM	TO	AMOUNT
6/9/10	AN/NH3 Operating	AN/NH3 Dep. M/R	\$7,500.00
	Total		<u>\$7,500.00</u>

Agenda Item No. 5: Port Director's Report.

Charles R. Hausmann, Port Director, reported the following:

## A. Harbor Traffic Statistics for the month of May 2010:

That a total of 80 vessels had arrived at the public port facilities during the month of May 2010; 28 deep draft arrivals and 52 inland barges and a total of 130 invoices were issued. Further, that 15 deep draft vessels were already on schedule for May arrival with one vessel taking multiple products.

That the total revenue tons for the month of May 2010 were 351,871.8 short tons. Revenue tons through the first 11 months of fiscal year 2010 were 3,562,709.9 short tons.

## B. That the contractor was still finishing up on the Dry Bulk Dock construction project.

C. That the dredge had completed the upper reach and the turning basin. The survey of the inner harbor showed more than adequate water depth. The decision of record for the widening and deepening was still under review by Galveston Legal Staff. The repairs at the jetties were in the current MATOC Contract that included jetties from Port Arthur to Brownsville.

D. The Port Director reminded the Board Members that Texas Secretary of Agriculture Todd Staples would be visiting the Port at 2:00 p.m.

Agenda Item No. 6: Public Comment.

There were no public comments during this Board Meeting.

Agenda Item No. 7: Review and Approval of Board Members Committee/Conference Attendance.

The Members of the Board reviewed a copy of the committee/conference attendance form. This form was to be filled out by Board Members that attend any meetings that are not posted meetings of the Calhoun Port Authority. Pursuant to further review and discussion, a motion was made by Board Member Dell R. Weathersby to approve the submitted Board Members Committee/Conference Attendance. The motion was seconded by Board Member Tony Holladay and the motion carried unanimously.

**Agenda Item No. 8: Review and Consideration of Approval of a Contract for Professional Services with URS Corporation on Phase II of the Indiana/Magnolia Beach Restoration Project.**

Members of the Board reviewed a copy of the proposed contract for professional services with URS Corporation. Pursuant to further review and discussion, a motion was made by Board Member Dell R. Weatherby to approve the contract for Professional Services with URS Corporation on Phase II of the Indiana/Magnolia Beach Restoration Project. The motion was seconded by Board Member Tony Holliday and the motion carried. Board Member J.C. Melcher, Jr. voted against the motion.

**Agenda Item No. 9: Review and Consideration of Approval of an Interlocal Agreement with TML Intergovernmental Employee Benefit Pool.**

The Board Members reviewed a copy of the interlocal Agreement with TML Intergovernmental Employee Benefit Pool for health and life insurance on all permanent full time port employees. Pursuant to further review and discussion, a motion was made by Board Secretary H. C. Wehmeyer, Jr. to approve the Interlocal Agreement with TML Intergovernmental Employee Benefit Pool. The motion was seconded by Board Member Dell R. Weatherby and the motion carried unanimously.

**Agenda Item No. 10: Review and Consideration of Approval of Request from Plains Marketing, L.P. to Renew and Extend the Lease Agreement dated June 19, 2002 for an Additional One Year.**

The Members of the Board reviewed a letter from Plains Marketing, L.P. requesting the renewal of the lease agreement for an additional one year period on the lease beginning July 1, 2010 at \$6,000.00 per year. Pursuant to further review and discussion, a motion was made by Board Member Tony Holliday to renew and extend the lease agreement with Plains Marketing dated June 19, 2002 for an additional one year. The motion was seconded by Board Secretary H. C. Wehmeyer, Jr. and the motion carried unanimously.

**Agenda Item No. 11: Review and Consideration of Approval of Fiscal Year 2010 Budget Amendments.**

The Board Members reviewed a copy showing the proposed revenue and expense amendments for the Fiscal Year 2010 Budget. Pursuant to further review and discussion, a motion was made by Board Member J. C. Melcher, Jr. to approve the Fiscal Year 2010 Budget Amendments as presented. The motion was seconded by Board Member Roger G. Martinez and the motion carried unanimously.

**Agenda Item No. 12: Review and Consideration of Approval of a Report from G&W Engineers, Inc. for Recommendations for the Repair/Replacement of the Barge Fleeting Area Dolphins.**

No action was taken on this agenda item.

**Agenda Item No. 13: Review and Consideration of a Proposal from Global Environmental and Marine Services, Inc. on their Study on the Operations of the City Waste and Dilge Facility.**

Pursuant to further review and discussion, a motion was made by Board Member J. C. Melcher, Jr. to authorize Charles R. Haussman, Mickey Sappington of G&W Engineers and Port General Counsel to prepare a bid package to be reviewed by the Board Members. The motion was seconded by Board Member Roger G. Martinez and the motion carried unanimously.

The Regular Meeting of the Calhoun County Navigation District was recessed at 10:26 a.m. on Wednesday, June 9, 2010 for a meeting of the Metagome Bay Pilots. The meeting was re-opened at 10:29 a.m.

Agenda Item No. 14: CLOSED SESSION: As Authorized by Tex. Gov't Code Section 551.072, for the purpose of discussion with respect to the purchase, exchange, lease or value of real property regarding Joslin Tract 1.

Board Chair Randy L. Boyd announced that As Authorized by Tex. Gov't Code Section 551.072, for the purpose of discussion with respect to the purchase, exchange, lease or value of real property including but not limited to land sale of Joslin Tract 1.

Further that, "No action or consensus would be taken in closed session". The Board convened in closed session at 10:29 a.m.

Agenda Item No. 15: Return to OPEN SESSION and take any action deemed necessary based upon discussion in closed meeting.

The Board reconvened in Open Session at 12:02 p.m., Board Chair Randy L. Boyd announced that "No action or consensus had been taken in closed session".

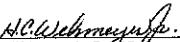
Pursuant to further review and discussion, a motion was made by Board Member Tony Holiday to authorize the Port Director to apply for the extension of the construction permit from Texas Commission on Environmental Quality in regards to Phase I - Joslin. The motion was seconded by Board Member Roger G. Martinez and the motion carried unanimously.

Agenda Item No. 16: Adjourn.

There being no further business to be brought before the Board, a motion was duly made that the meeting be declared adjourned at approximately 12:04 p.m. on Wednesday, June 9, 2010.

  
Randy L. Boyd, Board Chair

ATTEST:

  
H. C. Wehmeyer, Jr., Board Secretary

CALHOUN COUNTY NAVIGATION DISTRICT  
CHECK REGISTER

June 9, 2010

CHECK NO.	PAYEE	BUDGET ACCOUNT	AMOUNT
1422	LYDIA S. CANTU	ADMINISTRATION WAGES	\$ 376.00
1423	ROCKY G. CORTEZ	PORT OPERATIONS WAGES	\$ 1,511.61
1424	JOSE GALVAN	PORT MAINTENANCE WAGES	\$ 804.12
1425	CHARLES R. HAUSMANN	ADMINISTRATION WAGES	\$ 2,790.17
1426	FORREST HAWES	ADMINISTRATION WAGES	\$ 3,201.39
1427	ADRIAN J. KAMM	PORT OPERATIONS WAGES	\$ 1,227.34
1428	LARRY C. LYNCH	PORT MAINTENANCE WAGES	\$ 1,700.00
1429	MIRANDA M. MALEK	ADMINISTRATION WAGES	\$ 1,165.00
1430	EARL S. PATILLO	PORT OPERATIONS WAGES	\$ 2,081.85
1431	STEPHEN C. RODRIGUEZ	PORT MAINTENANCE WAGES	\$ 1,096.13
1432	JOHN M. SULLIVAN	PORT OPERATIONS WAGES	\$ 1,102.92
1433	NATHAN TOWNSEND	PORT MAINTENANCE WAGES	\$ 1,050.95
1434	LUIS VELASQUEZ	PORT MAINTENANCE WAGES	\$ 1,182.73
24624	NATIONWIDE RETIREMENT	EMPLOYEE RETIREMENT CONTRIBUTION	\$ 2,373.46
24622	UNITED WAY OF CALHOUN COUNTY	PAYROLL CONTRIBUTIONS	\$ 2.50
24623	TEXAS CHILD SUPPORT DISBURSEMENT	EMPLOYEE CHILD SUPPORT PAYMBNTS	\$ 256.62
	ELECTRONIC FED. TAX PYMT. SYSTEM	PAYROLL/TAX DEPOSIT	\$ 6,986.95
1423	LYDIA S. CANTU	ADMINISTRATION WAGES	\$ 353.04
1424	ROCKY G. CORTEZ	PORT OPERATIONS WAGES	\$ 1,384.32
1425	JOSE GALVAN	PORT MAINTENANCE WAGES	\$ 788.79
1426	CHARLES R. HAUSMANN	ADMINISTRATION WAGES	\$ 2,462.01
1427	FORREST HAWES	ADMINISTRATION WAGES	\$ 2,961.61
1428	ADRIAN J. KAMM	PORT OPERATIONS WAGES	\$ 1,265.34
1429	LARRY C. LYNCH	PORT MAINTENANCE WAGES	\$ 1,602.03
1430	MIRANDA M. MALEK	ADMINISTRATION WAGES	\$ 1,180.67
1431	EARL S. PATILLO	PORT OPERATIONS WAGES	\$ 1,676.79
1432	STEPHEN C. RODRIGUEZ	PORT MAINTENANCE WAGES	\$ 1,096.13
1433	JOHN M. SULLIVAN	PORT OPERATIONS WAGES	\$ 1,071.09
1434	NATHAN TOWNSEND	PORT MAINTENANCE WAGES	\$ 1,153.31
1435	LUIS VELASQUEZ	PORT MAINTENANCE WAGES	\$ 1,182.74
24626	TEXAS CHILD SUPPORT DISBURSEMENT	EMPLOYEE CHILD SUPPORT PAYMENTS	\$ 256.62
24625	UNITED WAY OF CALHOUN COUNTY	PAYROLL CONTRIBUTIONS	\$ 2.50
24627	NATIONWIDE RETIREMENT	EMPLOYEE RETIREMENT CONTRIBUTION	\$ 2,373.46
	ELECTRONIC FED. TAX PYMT. SYSTEM	PAYROLL/TAX DEPOSIT	\$ 6,253.94
24698	RANDY L. BOYD	BOARD SERVICE FEES	\$ 369.40
24699	SHIELDS A. HOLLADAY	BOARD SERVICE FEES	\$ 369.40
24700	ROGER G. MARTINEZ	BOARD SERVICE FEES	\$ 369.40
24701	J. C. MILCHER, JR.	BOARD SERVICE FEES	\$ 369.40
24702	DHLL WRATHERSBY	BOARD SERVICE FEES	\$ 369.40
24703	H. C. WEBHMEYER, JR.	BOARD SERVICE FEES	\$ 369.40
	ELECTRONIC FED. TAX PYMT. SYSTEM	PAYROLL/TAX DEPOSIT	\$ 367.20
24704	AAPA	COMMISSIONERS SEMINAR	\$ 2,295.00
24705	AIRGAS	M/R BUILDINGS & FACILITIES	\$ 460.10
24706	AMERICAN EXPRESS	M/R VEHICLES & EQUIPMENT	\$ 164.44
24707	AMERICAN PAPER & JANITORIAL	M/R BUILDINGS & FACILITIES	\$ 695.00
24708	AQUA BEVERAGE	MISC GENERAL EXPENSE	\$ 116.95
24709	AUTO PARTS & MACHINE	M/R VEHICLES & EQUIPMENT	\$ 73.11
24710	VOID		
24711	B-ENVIRONMENTAL	STORM/WASTE WATER TESTING	\$ 605.50
24712	CALHOUN COUNTY APPRAISAL DIST	APPRAISAL DISTRICT EXPENSE	\$ 409.26
24713	CCND - DEPRECIATION M/R	FACILITY DEPRECIATION	\$ 44,000.00
24714	CCND - GROSS REVENUE	WATER EXPENSE	\$ 12.88
24715	CCND - MAINTENANCE & OPERATIONS	PERSONNEL REIMBURSEMENT	\$ 2,520.00

24718	DIRECT ENERGY	ELECTRICAL EXPENSE	\$ 46,085.74
24719	PASTENAL COMPANY	M/R BUILDINGS & FACILITIES	\$ 45.00
24720	FEDERAL EXPRESS	POSTAGE & FREIGHT EXPENSE	\$ 36.90
24721	FERGUSON ENTERPRISES	BACK FLOW PREVENTER STRAINERS	\$ 797.30
24722	FORUM OILFIELD TECHNOLOGIES	M/R FIRE SYSTEM	\$ 2,110.56
24723	G&W ENGINEERS, INC.	GENRAL BNGINERING	\$ 525.00
		ARRA SECURITY GRANT	\$ 157.50
		JOSLIN	\$ 210.00
		DOLPHIN STRUCTURE	\$ 210.00
		DRY BULK DOCK TERMINAL & JETTY CONVBYOR	\$ 22,426.75
		POTABLE WATER	\$ 164.00
		AN/NH3 TANK COATING PROJECT	\$ 5,208.97
24724	HALIFAX PORT AUTHORITY	AAPA CONVENTION 2010	\$ 6,750.00
24725	ROY J. HART	JOSLIN CONSULTANT - 2 MONTHS	\$ 7,012.80
24726	FORREST HAWES	EXPENSE REIMBURSEMENT	\$ 55.00
24727	HAYES ELECTRIC	JOSLIN METER LOOP	\$ 74.37
24728	HILL COUNTRY ENVIRONMENTAL	JOSLIN ENVIRONMENTAL	\$ 2,425.10
		BUTADIENE TRANSFER ENVIRONMENTAL	\$ 417.17
		ENVIRONMENTAL CONSULT	\$ 21.25
24729	IKON OFFICE SOLUTIONS	OFFICE SUPPLY EXPNSH	\$ 59.00
24730	J&M SUPPLY	M/R BUILDINGS & FACILITIES	\$ 185.24
24731	LAVACA NAVADAD RIVER AUTHORITY	RAW WATER EXPENSE	\$ 6,675.05
24732	LOWES	M/R BUILDINGS & FACILITIES	\$ 181.65
24733	MALDONADO & ASSOCIATES	FEDERAL RELATIONS	\$ 5,417.00
24734	MIRANDA M. MALEK	AUTO MILEAGE REIMBURSEMENT	\$ 158.50
24735	MRLSTAN, INC	M/R BUILDINGS & FACILITIES	\$ 158.15
24736	MRNCHACA'S SECURITY	SECURITY EXPENSB	\$ 23,718.38
24737	MID-COAST ELECTRIC	M/R BUILDINGS & FACILITIES	\$ 873.19
24738	NATIONWIDE RETIREMENT	EMPLOYEE RETIREMENT CONTRIBUTION	\$ 5,024.94
24739	NOVAK DIESEL	M/R FIRE SYSTEM	\$ 1,030.13
24740	ODESSA PUMPS & EQUIPMENT <sup>1</sup>	M/R FIRE SYSTEM- NEW JOCKEY PUMP	\$ 6,737.79
24741	PORT EXPANSION GROSS REVENUE	ELECTRICAL EXPENSE	\$ 1,261.21
24742	PORT LAVACA WAVE	VISITORS GUIDE - PROMOTION	\$ 403.70
24743	VOID		
24744	POWER ELECTRIC	M/R BUILDINGS & FACILITIES	\$ 211.35
24745	PROFESSIONAL COMPUTER	COMPUTER CONSULTANT	\$ 683.37
24746	QUALITY CONTROL	MISC GENERAL EXPENSE	\$ 100.00
24747	ROBERTS, ROBERTS, ODEPPY & WITTE	JOSLIN LEGAL	\$ 1,231.25
		WATER/INVISTA AGREEMENT LEGAL	\$ 10,990.50
		LEGAL RETAINER	\$ 2,000.00
		TEXAS LIQUID FERTILIZER LEGAL	\$ 7,215.00
		FORMOSA LEGAL	\$ 218.75
24748	SHERWIN WILLIAMS	M/R BUILDINGS & FACILITIES	\$ 164.40
24749	STANDARD COFFEE	MISC GENERAL EXPENSE	\$ 98.60
24750	TESTINGEER, INC.	INTERNET EXPENSE	\$ 107.00
24751	TEXAS PORTS ASSOCIATION	WEBSITE ASSESSMBNT	\$ 1,648.56
24752	TML-JBP	EMPLOYEE HEALTH INSURANCE	\$ 13,556.58
24753	TURNER	CONTRACT LABOR EXPENSE	\$ 3,562.65
24754	T.W. LA QUAY DREDGING	FIRE PUMP DREDGING - SALTWATER INTAKES	\$ 24,200.00
24755	VERIZON SOUTHWEST <sup>1</sup>	TELEPHONE EXPENSE	\$ 1,393.29
24756	WASTE MANAGEMENT	WASTE DISPOSAL	\$ 378.69
24757	WOOD CHEM	MISC GRNERAL EXPNSE	\$ 136.45
24758	YOUNG PLUMBING	M/R BUILDINGS & FACILITIES	\$ 5.70
24759	JODY LEWIS	PROMOTIONAL EXPENSE	\$ 90.00
		ADVANCE PAYMENT ON EMPLOYEE HEALTH INSURANCE	\$ (1,912.80)
	<b>TOTAL</b>		<b>\$ 326,342.08</b>
	<b>GROSS REVENUE FUND</b>		<b>\$ 100,761.65</b>

DEPRECIATION & MAJOR REPAIR FUND  
PORT EXPANSION GROSS REVENUE FUND  
AN/NHS OPERATING FUND

\$ 177,385.53  
\$ 39,838.67

TOTAL FUND DISTRIBUTION \$ 326,342.08

CALHOUN COUNTY NAVIGATION DISTRICT  
FUND TRANSFERS  
June 9, 2010

CHK#	FUND ACCOUNT	AMOUNT
<b>GROSS REVENUE FUND</b>		
2010-033	To Port Operations Account	\$ 8,846.94
2010-034	To Port Operations Account	\$ 7,622.66
2010-036	To Port Operations Account	\$ 84,292.05
<b>Total</b>		<b>\$ 100,761.65</b>
<b>MAINTENANCE AND OPERATION FUND</b>		
2010-033	To Port Operations Account	\$ 2,718.09
2010-034	To Port Operations Account	\$ 2,717.98
2010-036	To Port Operations Account	\$ 2,323.46
<b>Total</b>		<b>\$ 7,759.53</b>
<b>BUSINESS DEVELOPMENT FUND</b>		
2010-036	To Port Operations Account	\$ 596.70
<b>Total</b>		<b>\$ 596.70</b>
<b>DEPRECIATION &amp; MAJOR REPAIR FUND</b>		
<b>Total</b>		<b>\$ -</b>
<b>PORT EXPANSION GROSS REVENUE FUND</b>		
2010-033	To Port Operations Account	\$ 23,601.60
2010-034	To Port Operations Account	\$ 22,980.64
2010-036	To Port Operations Account	\$ 130,803.29
<b>Total</b>		<b>\$ 177,385.53</b>
<b>AN/NH3 OPERATING FUND</b>		
2010-036	To Port Operations Account	\$ 39,838.67
<b>Total</b>		<b>\$ 39,838.67</b>
<b>LNG REIMBURSEMENT FUND</b>		
<b>Total TRANSFERS TO PORT OPERATIONS ACCOUNT</b> <b>\$326,342.08</b>		
<b>MATAGORDA SHIP CHANNEL IMPROVEMENT PROJECT FUND</b>		

**INTERFUND TRANSFERS**

DATE	FROM	TO	AMOUNT
5/11/2010	AN/NH3 Operating	AN/NH3 Dep. M/R	\$7,500.00